Official Acts of the Non-Removable

Mille Lacs Band of Ojibwe

2024

Introduction

On December 3, 2020, the Chief Executive signed into law Ordinance 08-21, adopting a Revisor of Statutes Code. The new law is codified into Band Statutes as Title 25. Section 8 requires the Revisor of Statutes to publish the "Official Acts of the Non-Removable Mille Lacs Band of Ojibwe" no later than January 15 each year.

In the year 2024, the Band Assembly approved 43 Resolutions, and 2 Special Revenue Resolutions. The Band Assembly also approved 71 Acts, 68 of which were signed into law by the Chief Executive. The Joint Session of the Band Assembly approved 19 Resolutions. The Chief Executive issued 1 Executive Order; 2 Commissioner's Orders were issued; the Solicitor General issued 1 Opinion of the Solicitor General; and 2 department policies were approved.

Each of these records are included in the "Official Acts" for 2024.

Reen Reinhardt
Revisor of Statutes

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Revisor's Note

Acts that were denied are not listed. An act is denied if it's not approved by the Band Assembly and later signed by the Speaker of the Assembly. Acts that were signed by the Speaker of the Assembly and contain either a veto letter or "veto" stamped on the signatory page were vetoed by the Chief Executive.

Act 01-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch, Judicial Branch, Legislative Branch, and the Department of Athletic Regulation for the Fiscal Years ending September 30, 2023, and September 30, 2024. This bill has been drafted based on formal documents submitted by the Administration Policy Board on December 22, 2023; the Court Administrator on December 14, 2023; the Legislative Affairs Director on December 21, 2023; and the Executive Director of the Department of Athletic Regulation on December 18, 2023.

The District II Representative introduced the following Bill on the 3rd day of January, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch, Judicial Branch, Legislative Branch, and the Department of Athletic Regulation for the Fiscal Years ending September 30, 2023, and September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	Supplemental	Cross-Reference
Executive Branch		Administration Policy Board Minutes (December 14, 2023)
Administration		
D3 Youth Services 281-NEW Of FY2024 Grant Funds	$100,000.00	Attachment # 8
Aanjibimaadizing CCDF 281-6770 Of FY2024 Self-Governance Funds	$1,408.00	Attachment # 9
Aanjibimaadizing 281-6770 Of FY2024 Self-Governance Funds	$5,668,541.00	Attachment # 10
Elder Supplemental 107-2370 Of FY2024 Elder Supplement Funds	$270,628.00	Attachment #11
Education		
MIAC Language Grant 206-3365 Of FY2024 Grant Funds	$66,500.00	Attachment # 14

Early Head Start 202-3570 Of FY2024 Grant Funds	$324,055.14	Attachment # 15
Head Start 202-3500 Of FY2024 Grant Funds	$979,482.36	Attachment # 16
Judicial		
Court Renovation 315-0000 Of a Re-Appropriation of FY2023 Permanent Initiative Funds	$999,413.14	Memo from Court Administrator dated December 13, 2023 (# 1)
ARPA SLFRF 100-1930 Of a Re-Appropriation of FY2023 ARPA SLFRF Funds	$16,000.00	Memo from Court Administrator dated December 13, 2023 (# 2)
Tribal Court 103-1500 Of FY2024 Self-Governance Funds	$8,267.00	Memo from Court Administrator dated December 13, 2023 (# 3)

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2023 Legislative: a budget revision to move monies within the Legislative budget for end of year budget clean-up as submitted (Memo from the Legislative Affairs Director dated December 21, 2023 # 1):

Legislative 101-1400	$201,444.97

FY2024 Legislative: a payroll budget revision to move monies within the Legislative budget as submitted (Memo from the Legislative Affairs Director dated December 21, 2023 # 3):

Legislative 101-1400	$22,800.00 – **Total**

FY2023 Administration: a budget transfer from Commissioner of Administration to the D2 Administration, and Meshakwad budgets to cover shortages within these budgets including increased utility costs for end of year budget clean-up as submitted (Attachment # 7):

Commissioner of Administration 107-2200	($125,643.79) to
D2 Administration 107-2020	$12,391.16; and
Meshakwad 107-2050	$113,252.63

FY2023 Department of Athletic Regulations: a budget revision to move monies within the Department of Athletic Regulations budget to cover expenditures as submitted (Memo from the Executive Director dated December 18, 2023):

Department of Athletic Regulations 100-1090	$20,435.28 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 01-24

(Band Assembly Bill 20-04-01-24)

Introduced to the Band Assembly on this
Third day of January in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Third day of January in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: January 5, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 02-24

An Act Repealing and Replacing Act 83-23 to correct the amount for "MLB Gas". Act 83-23 authorized a supplemental appropriation for the purpose of authorizing expenditures for Mille Lacs Corporate Ventures for the Fiscal Years Ending September 30, 2023 and September 30, 2024.This bill has been drafted based on formal documents submitted by the Commissioner of Corporate Affairs on December 14, 2023.

The District I Representative introduced the following Bill on the 3rd day of January, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for Mille Lacs Corporate Ventures for the Fiscal Years ending September 30, 2023, and September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2023	**Supplemental**	**Cross-Reference**
Mille Lacs Corporate Ventures		Formal Request (December 20, 2023) # 1
Grand Market Of FY2023 Long-Term Investment Income Funds	$85,000.00	
Grindstone Laundry Of FY2023 Long-Term Investment Income Funds	$390,000.00	
Hinckley Medical Office Building Of FY2023 Long-Term Investment Income Funds	$257,143.00	

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Mille Lacs Corporate Ventures		Formal Request (December 20, 2023) # 1
Grand Makwa Cinema Of FY2024 Long-Term Investment Income Funds	$80,600.00	

Grand Market Of FY2024 Long-Term Investment Income Funds	$174,000.00	
Mille Lacs Super Stop/TJ's Of FY2024 Long-Term Investment Income Funds	$75,900.00	
MLB Gas Of FY2024 Long-Term Investment Income Funds	$127,500.00	
Wewinabi Inc. Of FY2024 Long-Term Investment Income Funds	$285,300.00	
Grindstone Laundry Interest Of FY2024 Long-Term Investment Income Funds	$86,702.00	
Big Sandy Of FY2024 Long-Term Investment Income Funds	$686,356.00	
Grindstone Laundry Capital Of a Re-Appropriation of FY23 ARPA SLFRF Funds	$461,906.33	Formal Request (December 20, 2023) # 2
Mille Lacs Wastewater Inc. Capital Of a Re-Appropriation of FY23 ARPA SLFRF Funds	$171,383.23	Formal Request (December 20, 2023) # 3
Sugar Maple Crossing Of a Re-Appropriation of FY23 ARPA SLFRF Funds	$16,534,104.99	Formal Request (December 20, 2023) # 4
Cannabis Business Project Of a Re-Appropriation of FY23 Long-Term Savings Investment Funds	$35,000,000.00	Formal Request (December 20, 2023) # 5
Ventura Project Of a Re-Appropriation of FY23 ARPA SLFRF Funds	$18,814,717.00	Formal Request (December 20, 2023) # 6
Ventura Project Of a Re-Appropriation of FY23 Permanent Initiative Funds	$1,185,283.00	Formal Request (December 20, 2023) # 6

Grand Casino Mille Lacs and Hinckley Hotel Refresh Project-Loan Funding Of a Re-Appropriation of FY23 Long-term Investment Savings Funds	$102,000,000.00	Formal Request (December 20, 2023) # 7

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 02-24

(Band Assembly Bill 20-04-02-24)

Introduced to the Band Assembly on this
Third day of January in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Third day of January in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: January 5, 2023

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 03-24

An Act enacting a Cannabis Code as a new chapter within Title 15 – Independent Agencies. This bill will create a Department of Cannabis Regulation, an independent entity, which will be administered by a five-person board. The Department will oversee issuance of cannabis licenses for cultivation, manufacturing, wholesale, retail, and testing within the Band's sovereign territory. The board will hear license appeals and also approve contracts and create regulations consistent with the Code. The Department will have an executive director and staff to carry out the necessary duties to effectuate the purpose of this Code. The Code also allows personal use of cannabis, such as home cultivation of up to eight cannabis plants. This bill also amends Title 23 to update outdated citations to Minnesota law and update possession of cannabis within a vehicle to mirror Minnesota law.

In the creation and drafting of this bill, the legislative branch held several workshops and two public comment periods. The first public comment period, the draft bill was posted for 22 days, and the bill was discussed in every community. The legislative branch received over 50 comments with a majority of comments being positive. The second public comment period, the draft bill was posted for 13 days. The legislative branch received two comments. This bill is intended to encourage not only business opportunities for Mille Lacs Corporate Ventures but also Band members, to encourage responsible use of cannabis within the communities, to support drug abuse prevention efforts through education, prevention, and treatment for the community, to provide smoke-free and clean air spaces for the community, and to continue providing a drug-free workplace for government-owned and government-operated buildings.

The District II Representative introduced the following Bill on the 9th day of January, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Enacting a Cannabis Code.

Section

1. **Purpose.**
2. **Definitions.**
3. **Department of Cannabis Regulation.**
4. **Department of Cannabis Regulation Board.**
5. **Executive Director of the Department.**
6. **Seed-to-Sale Electronic Tracking System.**
7. **Approval of Cannabis Flower and Products.**
8. **Agricultural and Food Safety Practices.**
9. **Applicable Environmental Standards.**
10. **License Issuance; Transfers; Adjustments; Appeals.**

11. **Inspection and License Violation.**
12. **Cannabis Business; General Operational Requirements and Prohibitions.**
13. **Cultivation.**
14. **Manufacturing.**
15. **Retail.**
16. **Wholesale; Transportation; Delivery.**
17. **Testing.**
18. **Packaging and Labeling.**
19. **Advertising.**
20. **Limitation on Consumption; Locations of Consumption.**
21. **Ownership and Use of Mille Lacs Corporate Ventures' Revenues.**
22. **Personal Adult Use of Cannabis.**
23. **Violations.**
24. **Provisional License for Mille Lacs Corporate Ventures.**
25. **Medical Marijuana.**

§ 1. Purpose.

The purposes of this statute are:

(a) to promote the health, safety, and security of the Mille Lacs Band of Ojibwe and its members, protect public health and safety, and to promote safe and responsible cannabis business activities in the Band's sovereign territory.

(b) to foster Band economic development in the cannabis industry by:

(1) meeting the legitimate market demand for cannabis and cannabis products;

(2) promoting a local industry for cannabis and cannabis products;

(3) supporting and prioritizing the growth of the Band's communities; and

(4) eliminating the illicit market for cannabis and cannabis products.

(c) to provide regulation of cannabis business activities by creating a Tribal regulatory agency that will regulate, license, monitor and tax the cultivation, manufacturing, testing, distribution, and sale of cannabis and cannabis products in the Band's sovereign territory, and enforce all applicable regulations.

(d) to promote and protect Band sovereignty.

(e) to ensure continued compliance with Band-awarded federal and state grants.

§ 2. Definitions.

The following terms are defined for the purposes of this chapter:

(a) **"Administrative order"** means a directive issued by the Department of Cannabis Regulation.

(b) **"Adult-use cannabinoid product"** means a cannabinoid product that is approved for sale by the Department or is substantially similar to a product approved by the Department. Adult-use cannabinoid product includes edible cannabinoid products but does not include medical cannabinoid products.

(c) **"Adult-use cannabinoid concentrate"** means cannabis concentrate that is approved for sale by the Department or is substantially similar to a product approved by the Department. Adult-use cannabis concentrate does not include artificially derived cannabinoids.

(d) **"Adult-use cannabis flower"** means a cannabis flower that is approved for sale by the Department or is substantially similar to a product approved by the Department. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer products.

(e) **"Advertisement"** means any written or oral statement, illustration, or depiction that is intended to promote sales of cannabis flower, cannabinoid products, lower potency edible products, hemp-derived consumer products, or sales at a specific cannabis business and includes any newspaper, radio, internet and electronic media, or television promotion; the distribution of fliers and circulars; and the display of window and interior signs in a cannabis business.

(f) **"Artificially derived cannabinoid"** means a cannabinoid extracted from a cannabis plant, cannabis flower, hemp plant, or hemp plant parts with a chemical makeup that is changed after extraction to create a different cannabinoid or other chemical compound by applying a catalyst other than heat or light. Artificially derived cannabinoid includes but is not limited to any tetrahydrocannabinol created from cannabidiol but does not include cannabis concentrate, cannabinoid products, or hemp-derived consumer products.

(g) **"Band Assembly"** means the Band's Legislative Branch, established pursuant to 3 MLBS § 2, and comprised of the duly elected Speaker of the Assembly and three (3) District Representatives.

(h) **"Batch"** means

(1) a specific quantity of cannabis plants that are cultivated from the same seed or plant stock, are cultivated together, are intended to be harvested together, and receive an identical propagation and cultivation treatment;

(2) a specific quantity of cannabis flower that is harvested together; is uniform and intended to meet specifications for identity, strength, purity, and composition; and receives identical sorting, drying, curing, and storage treatment; or

(3) a specific quantity of a specific cannabinoid product, edible cannabinoid product, artificially derived cannabinoid, or hemp-derived consumer product that is manufactured at the same time and using the same methods, equipment, and ingredients that is uniform and intended to meet specifications for identity, strength, purity, and composition, and that is manufactured, packaged, and labeled according to a single batch production record executed and documented during the same cycle of manufacture and produced by a continuous process.

(i) **"Batch number"** means a unique numeric or alphanumeric identifier assigned to a batch of cannabis flower or a batch of cannabinoid product, edible cannabinoid product, artificially derived cannabinoid, or hemp-derived consumer product.

(j) **"Board"** means the Department of Cannabis Regulation Board pursuant to this chapter.

(k) **"Cannabinoid"** means any of the chemical constituents of hemp plants or cannabis plants that are naturally occurring, biologically active, and act on the cannabinoid receptors of the brain. Cannabinoid includes but is not limited to tetrahydrocannabinol and cannabidiol.

(l) **"Cannabinoid extraction"** means the process of extracting cannabis concentrate from cannabis plants or cannabis flower using water, lipids, gases, solvents, or other chemicals or chemical processes, but does not include the process of extracting concentrate from hemp plants or hemp plant parts or the process of creating artificially derived cannabinoids.

(m) **"Cannabinoid product"** means cannabis product, a hemp-derived consumer product, or lower-potency hemp edible.

(n) **"Cannabinoid profile"** means the amounts of each cannabinoid that the Department requires to be identified in testing and labeling, including but not limited to delta-9 tetrahydrocannabinol, tetrahydrocannabinolic acid, cannabidiol, and cannabidiolic acid in cannabis flower, a cannabinoid product, a batch of artificially derived cannabinoid, or a hemp-derived consumer product, expressed as percentages measured by weight and, in the case of cannabinoid products and hemp-derived consumer products, expressed as milligrams in each serving and package.

(o) **"Cannabis business"** means

(1) cannabis cultivator;

(2) cannabis manufacturer;

(3) cannabis retailer;

(4) cannabis wholesaler; or

(5) cannabis testing facility.

(p) **"Cannabis concentrate"**

(1) means:

(i) the extracts and resins of a cannabis plant or cannabis flower;

(ii) the extracts or resins of a cannabis plant or cannabis flower that are refined to increase the presence of targeted cannabinoids; or

(iii) a product that is produced by refining extracts or resins of a cannabis plant or cannabis flower and is intended to be consumed by combustion or vaporization of the product and inhalation of smoke, aerosol, or vapor from the product; and

(2) does not mean:

(i) industrial hemp, artificially derived cannabinoids, or hemp-derived consumer products.

(q) **"Cannabis flower"** means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, industrial hemp, or hemp-derived consumer products.

(r) **"Cannabis license"** means a license, as listed in § 10(a)(2), issued by the Department of Cannabis Regulation.

(s) **"Cannabis plant"** means all parts of the plant of the genus Cannabis that is growing or has not been harvested and has a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent on a dry weight basis.

(t) **"Cannabis product"**

(1) means any of the following:

(i) cannabis concentrate;

(ii) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or

(iii) any other product that contains cannabis concentrate; or

(iv) a product infused with artificially derived cannabinoids; and

(2) includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products; and

(3) does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.

(u) **"Cannabis seed"** means the viable seed of the plant of the genus Cannabis that is reasonably expected to grow into a cannabis plant. Cannabis seed does not include hemp seed.

(v) **"Cannabis worker"** means any individual employed by a cannabis business and any individual who is a contractor of a cannabis business whose scope of work involves

the handling of cannabis plants, cannabis flower, artificially derived cannabinoids, or cannabinoid products.

(w) **"Cultivation"** means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.

(x) **"Edible cannabinoid product"** means any product that is intended to be eaten or consumed as a beverage by humans; contains a cannabinoid, including an artificially derived cannabinoid, in combination with food ingredients; is not a drug; and is a type of product approved for sale by the Department, or is substantially similar to a product approved by the Department including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods. Edible cannabinoid product includes lower potency edible products.

(y) **"Hemp-derived consumer products"**

(1) means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:

(i) contains or consists of hemp plant parts; or

(ii) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

(2) does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

(z) **"Hemp plant"** means all parts of the plant of the genus Cannabis that is growing or has not been harvested and has a delta-9 tetrahydrocannabinol concentration of no more than percent on a dry weight basis.

(aa) **"Hemp plant parts"** means any part of the harvested hemp plant, including the flower, bud, leaves, stems, and stalk, but does not include derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers that are separated from the plant. Hemp plant parts does not include hemp fiber products, hemp grain, or hemp seed.

(bb) **"Hemp seed"** means the viable seed of the plant of the genus Cannabis that is intended to be planted and is reasonably expected to grow into a hemp plant. Hemp seed does not include cannabis seed or hemp grain.

(cc) **"Industrial hemp"** means the plant Cannabis sativa L. and any part of the plant, whether growing or not, including the plant's seeds, and all the plant's derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

(dd) **"Intoxicating cannabinoid"** means a cannabinoid, including an artificially derived cannabinoid, that when introduced into the human body impairs the central nervous system or impairs the human audio, visual, or mental processes. Intoxicating cannabinoid includes but is not limited to any tetrahydrocannabinol.

(ee) "**License**" means permission to operate a specific cannabis business or to be employed as a cannabis worker, issued by the Department of Cannabis Regulation pursuant to this Code and the Department's regulations.

(ff) **"Mille Lacs Band of Ojibwe Department of Cannabis Regulation"** or **"Department"** means the Department created by this Code.

(gg) **"Nonintoxicating cannabinoid"** means a cannabinoid that when introduced into the human body does not impair the central nervous system and does not impair the human audio, visual, or mental processes. Nonintoxicating cannabinoid includes but is not limited to cannabidiol but does not include any artificially derived cannabinoid.

(hh) **"Outdoor advertisement"** means an advertisement that is located outdoors or can be seen or heard by an individual who is outdoors and includes billboard; advertisements on benches; advertisements at transit stations or transit shelters; advertisements on the exterior or interior of buses, taxis, light rail transit, or business vehicles; and print signs that are placed or located on the exterior property of a cannabis business.

(ii) **"Seed-to-sale electronic tracking system"** means the system for integrated cannabis tracking, inventory, and verification established or adopted by the Department.

(jj) **"Sovereign territory"** means the Band's Indian country as defined in 18 U.S.C. § 1151. It includes "Tribally regulated land" as defined in Minn. Stat. § 3.9228 subd.1(i).

(kk) **"Tetrahydrocannabinol"** or **"THC"** means delta-9-tetrahydrocannabinol, the main psychoactive ingredient in cannabis.

(ll) **"Volatile solvent"** means any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Volatile solvent includes but is not limited to butane, hexane, and propane.

§ 3. Department of Cannabis Regulation.

(a) **General.** The Department of Cannabis Regulation shall be an independent entity, Tribal regulatory agency under the administrative control of its Board.

(b) **Powers and duties.** The Department shall be responsible for:

(1) exercising regulatory authority over cannabis businesses within the Band's sovereign territory to ensure compliance with applicable law, including this Code and any future policies and regulations adopted by the Department;

(2) developing, maintaining and enforcing an organized system of cannabis regulation within the Band's sovereign territory, including

(i) promulgating regulations to implement this Code;

(ii) issuing and administering licenses to cannabis businesses;

(iii) monitoring cannabis business licensees' employees, employee names, addresses, dates of birth, and photo-copies of driver's license or other government-issued identification demonstrating each individual is over 21 years of age shall be shared with the Department and recorded;

(iv) monitoring, inspecting, and investigating cannabis businesses for compliance with all applicable laws and license terms; and

(v) issuing administrative orders for noncompliance and violations and overseeing corrective and remedial action; and

(3) performing functions necessary to carry out this Code.

(c) **Operational authority.** The Department shall not exercise operational authority over any cannabis business. Management and operational authority of any Band-owned cannabis business shall be vested in Mille Lacs Corporate Ventures or a separately chartered corporation under 16 MLBS § 106(d).

(e) **Regulations**. The Department shall have the power and duty to develop, adopt and promulgate regulations implementing this Code, which shall:

(i) establish a cannabis regulatory system to protect, maintain, and improve the health and safety of the community, including cannabis workers;

(ii) establish rules for preventing unauthorized access to cannabis and cannabis products by individuals under 21 years of age;

(iii) establish standards for product testing, packaging and labeling, including testing protocols, information and marks to be included on labels and any other information or notices required of licensees;

(iv) establish an online process for submitting cannabis business license applications;

(v) establish a process for accepting and adjudicating cannabis licenses, including criminal background check requirements if deemed necessary by the Department and whether any criminal offense disqualifies a person or entity from holding a license, and an administrative reconsideration or appeal process;

(vi) establish categories of monitoring and reporting data required to be collected from Band license holders and submitted via a seed-to-sale tracking system or other method;

(vii) establish a process for inspecting and approving types of cannabis flower and cannabinoid products eligible for retail sale within the Band's sovereign territory;

(viii) establish agricultural and food safety practices as required by this Code;

(ix) establish requirements for odor control by licensees as required by this Code;

(x) establish acceptable disposal methods for cannabis that cannot be sold under § 12(g) of this Code;

(xi) establish a process for approving the use of certain pesticides fertilizers, soil amendments, plant amendments, and other inputs and methods to cultivate cannabis;

(xii) establish standards and a review process for outdoor advertisements, non-cannabis merchandise sales, and other marketing activities;

(xiii) establish allowable methods of extraction, concentration, and conversion, and volatile chemicals and catalysts, that cannabis manufacturers may use;

(xiv) establish standards for chemicals or compounds that cannabis manufactures may add to cannabis concentrate or artificially derived cannabinoids; and

(xv) establish procedures for ensuring license holders' compliance with Band law and regulations, license terms, any compacts with the State of Minnesota and other applicable laws and policies; and

(xvi) any other matter within the scope of this Code.

(f) **Rulemaking process.**

(1) The Department shall promulgate the regulations authorized by § 3(e) with or without a hearing according to the notice and comment process specified herein.

(i) **Notice of intent to adopt.** The Department shall give notice of its intent to adopt a regulation by posting a copy of the notice in the Band Government Center and on the Band's website, and by electronically delivering a copy of the notice to the Chief Executive, the Speaker of the Band Assembly, the District Representatives, the Solicitor General, the Commissioner of Administration, the Commissioner of Corporate Affairs, and the manager of any cannabis business licensed by the Band. The notice shall include a copy of the proposed regulation and a description of the nature and effect of the proposed regulation. In addition, the notice shall include the following statements:

(A) comments may be submitted on the proposed regulation no later than 30 calendar days from the date of the notice; and

(B) the proposed regulation may be modified if supported by the data and views submitted.

(ii) **Review.** The Department shall review all comments received during the comment period, shall make such changes to the proposed regulation as it deems reasonable and appropriate, and shall approve the regulation by resolution of the Board. Proposed regulations shall be posted on the Band's website during the comment period.

(iii) **Adoption; notice of adoption.**

(A) The Department shall, by official action, set the effective date of the regulation and publish and post copies of a notice of adoption of the regulation in the same manner as for the notice of intent to adopt the regulation.

(B) The notice of adoption shall summarize the final regulation and the changes to the proposed regulation, state the effective date, and announce that free copies of the regulation are available from the Department.

(C) Copies of the notice and the final regulation shall be electronically delivered to all persons who were sent a copy of the notice of intent to adopt.

(D) All final regulations shall be available on the Band's website.

(2) **Initial cannabis regulations**. The Department shall adopt a set of Initial Cannabis Regulations meeting the requirements of § 3(e) and this Code within 180 calendar days after the first meeting of all the members of the first Board.

(3) **Annulment**. Any cannabis regulation may be annulled by statute.

(g) **Monitoring and investigation.** The Department shall have the power and duty to monitor and investigate all cannabis businesses with the Band's sovereign territory or licensed by the Band for compliance with Band law and regulations, license terms, any compacts with the State of Minnesota and other applicable laws and policies.

(h) **Access.** The Department shall have access to all books, files, records, reports, and other data regarding the operation of all cannabis businesses, whether in written or electronic form, as it deems necessary or desirable to carry out its regulatory duties.

§ 4. Department of Cannabis Regulation Board.

(a) **Appointment process.** Each member shall be appointed using the following process.

(1) The Chief Executive shall nominate two (2) individuals and submit their names to the Secretary-Treasurer. Within ten (10) calendar days after receipt of the nominations and documents as listed in paragraph (7) by the Secretary-Treasurer, the Secretary-Treasurer shall ratify one (1) out of the two (2) nominees to be a member of the Board. Such member shall serve until September 1, 2024. Any subsequent appointment, other than to fill a vacancy that occurs prior to the end of the term, shall be for four (4) years.

(2) Each District Representative shall nominate two (2) individuals and submit their names to the Chief Executive. Within ten (10) calendar days after receipt of the nominations and documents as listed in paragraph (7) by the Chief Executive, the Chief Executive shall ratify one (1) of the two (2) nominees to be a member of the Board. Such members shall serve until September 1, 2026. Any subsequent appointment, other than to fill a vacancy that occurs prior to the end of a term, shall be for four (4) years.

(3) The Secretary-Treasurer shall nominate two (2) individuals and submit their names to the Chief Executive. Within ten (10) calendar days after receipt of the nominations and documents as listed in paragraph (7) by the Chief Executive, the Chief Executive shall ratify one (1) of the two (2) nominees to be a member of the Board. Such member shall serve until September 1, 2024. Any subsequent appointment, other than to fill a vacancy that occurs prior to the end of a term, shall be for four (4) years.

(4) If the Chief Executive or the Secretary-Treasurer do not ratify one from any of the nominations sent to them within the time prescribed, then the Band Assembly shall select such member by majority vote.

(5) If any elected official does not submit a nomination within 30 calendar days after a vacancy has occurred, then the Band Assembly shall nominate two (2) individuals by majority vote and submit their names and documents as listed in paragraph (7) to the Chief Executive for ratification to the Board.

(6) No member shall take office until swearing to the oath of office pursuant to Title 2.

(7) The ratifying elected official shall only consider a nominee upon receipt of a complete criminal background investigation, a nomination letter signed by the elected official nominating, a copy of the nominee's resume, and the nominee's contact information.

(b) **Board officers.**

(1) **Officers.** The Board shall have a chairperson, vice-chairperson, and Secretary.

(2) **Selection.**

(i) **Chairperson, vice-chairperson.** The members of the Board shall select from among themselves, by majority vote, a chairperson and a vice-chairperson. The chairperson and vice-chairperson shall serve for a period of no longer than two (2) years, unless re-appointed by the Board.

(ii) **Secretary.** The Board may select a member or an employee of the Department to act as secretary of the Board. The secretary shall serve for a period of no longer than two (2) years, unless re-appointed by the Board. An employee acting as secretary at the request of the Board is not a Board member and has no powers of a member.

(3) **Removal of members.** Members may be removed for any reason by a super-majority vote of four (4) out of five (5) members of the Joint Session of the Band Assembly. The determination of the Joint Session is final and un-appealable. A vacancy caused by removal or for any other reason shall be filled in a timely manner pursuant to § 4(a) of this Code.

(c) **Vacancies.**

(1) The chairperson of the Board shall notify the Band Assembly and the Chief Executive of any vacancy on the Board at least 30 calendar days prior to the end of a term, or, in circumstances other than the end of a term, immediately upon the knowledge that a vacancy will occur.

(2) If there is a vacancy on the Board, then the vacancy shall be filled pursuant to § 4(a) of this Code.

(3) Any member, including the chairperson, appointed to fill a vacancy shall serve for the remainder of the term left vacant; however, any member may be re-appointed during this time period pursuant § 4(a) of this Code.

(d) **Qualifications of members.** Board members must be chosen on the basis of relevant training, experience, and such other qualifications considered appropriate.

~~(4)~~(1) At minimum, all members must be:

(i) 21 years of age or older;

~~(5)~~(2) members must not:

(i) be a Band elected official or commissioner;

(ii) be employed by, or holding any office in, having any ownership or financial stake in, or having any business relation with, any cannabis business within the State of Minnesota;

(iii) be closely related to any owner or manager of a cannabis business licensed by the Department or seeking licensure from the Department;

(iv) be employed by the Mille Lacs Corporate Ventures;

(v) have been convicted of a felony, non-driving related gross misdemeanor, or driving related gross misdemeanor that includes death, careless driving, or bodily harm, within seven (7) years of the date of the final disposition;

(vi) have been convicted of a felony or gross misdemeanor involving the following offenses:

(A) criminal sexual conduct convictions, 1st – 5th degree, including but not limited to rape, attempted rape, and criminal sexual conduct with a juvenile;

(B) fraud;

(C) embezzlement;

(D) theft; or

(E) misrepresentation; or

(vii) have a felony, non-driving related gross misdemeanor, or driving related gross misdemeanor that includes death, careless driving, or bodily harm charge pending. Active stays of adjudication for felonies and gross misdemeanors constitute pending charges.

~~(6)~~(3) **Criminal background investigation.** Any nomination for the Board shall be subject to a criminal background investigation to be conducted by the Office of the Solicitor General. All criminal background investigations shall be performed upon the request of the elected official nominating. The Office of the Solicitor General shall provide the Chief Executive, Secretary-Treasurer, and District Representatives with the results of the criminal background investigation within 14 calendar days. The nomination shall be considered fully received when the elected officials receive the complete and unabridged results of the criminal background investigation from the Solicitor General.

~~(7)~~(4) **Current Board members.**

(i) A Board member shall be terminated from the Board if charged with a felony, non-driving related gross misdemeanor, or driving related gross misdemeanor that includes death, careless driving, or bodily harm, regardless of the outcome of the criminal proceedings.

(ii) All Board members shall be subject to an annual criminal background investigation. All criminal background investigations shall be performed upon the request of the Executive Director to the Office of the Solicitor General. The Office of the Solicitor General shall provide the Executive Director with the complete and unabridged results of the criminal background investigation, which shall include any pending charges, within 14 calendar days.

~~(8)~~(5) **Duty to report.** Board members shall have a duty to report, in writing, to the Executive Director any pending charge of a felony or gross misdemeanor within five (5) calendar days of becoming aware of the charge. Failure to report the charge constitutes grounds for termination from the Board.

~~(9)~~(6) **Conflict of interest.** If a Board member has a potential conflict of interest, the Board member shall announce during the meeting the nature of the potential conflict prior to voting on the issue giving rise to the potential conflict. A Board member shall abstain from a vote when he or she is in a position to influence a decision that may result in a personal

gain for herself or himself or her or his immediate family. A conflict of interest shall be recorded in the meeting minutes.

~~(d)~~(e) **Duties of the board.** The Board shall have the following duties:

(1) to oversee the Department's cannabis licensing activities and hear appeals of Department licensing and enforcement/compliance actions;

(2) examining effectiveness of the Band's cannabis laws and regulations and making recommendations to the Department regarding regulatory changes and to Band Assembly regarding statutory changes;

(3) reviewing developments in the cannabis industry, hemp consumer industry, and medical cannabis industry;

(4) reviewing developments in the study of cannabis flower, cannabis products, cannabinoid products, artificially derived cannabinoids, edibles cannabinoid products, and hemp-derived consumer products;

(5) to approve the Department's regulations, policies, and budget;

(6) to enter into contracts to provide necessary services and supplies to the Department;

(7) to follow compacts or other agreements entered into with the state or federal government in furtherance of this Code; and

(8) to adopt bylaws governing the conduct of the Board, Board meetings and the exercise of Board duties.

~~(e)~~(f) **Compensation.** Members, including the chairperson, shall be compensated with four hundred dollars ($400.00) per meeting, not to exceed eight hundred dollars ($800.00) in one month, except that in the case of a demonstrated emergency, the chairperson may petition the Secretary-Treasurer for compensation for additional meetings. Mileage and other travel expenses will be compensated on the same terms and conditions as apply to Senior Executive Staff appointees as provided by Band law.

~~(f)~~(g) **Meetings.**

(1) **Regular meetings.** Regular meetings of the Board shall be held at least monthly and upon written notice. The dates and forms of regular meetings shall be set by official action of the Board.

(2) **Special meetings.** Special meetings of the Board may be called by the chairperson with a minimum of forty-eight (48) hours written notice to the Board members, by the executive director with a minimum of forty-eight (48) hours written notice to the chairperson, or by a majority vote of the Board with forty-eight (48) hours written notice to the chairperson.

(3) **Other.** Either regular or special meetings may be called by petition of a majority of a quorum of the Board members other than the chairperson upon forty-eight (48) hours written notice to the chairperson.

(4) **Alternative meeting arrangements.** Regular or special meetings may be conducted by telephone, video or web conference, or similar means. The chairperson must provide the Board members with forty-eight (48) hours written notice prior to convening any meeting under this subsection.

(5) **Consent presumed.** A member's participation in a meeting described herein without explicit objection will constitute consent to the manner in which such a meeting is conducted.

~~(g)~~(h) **Quorum.** Three (3) Board members shall constitute a quorum.

~~(h)~~(i) **Voting.** All actions of the Board shall be taken by majority vote.

(1) The chairperson shall vote only in the following circumstances:

(i) to break a tie; or

(ii) if necessary, to constitute a quorum in the absence of other members.

~~(i)~~(j) **Training.** Training for Board members is highly encouraged. If members are not Band government employees and are required to be absent from their employment to attend mandatory training as determined by the Board, then members shall be compensated at their previously documented hourly rates of pay for each hour that they are in attendance at such training plus mileage and other travel expenses as stated in subsection (f) above. If members are Band government employees, then absence from employment will not be deducted from their accrued annual leave and they will be paid as if they were at work plus expenses as stated in subsection (f) above.

§ 5. Executive Director of the Department.

(a) **Executive director.**

(1) The Board shall hire an executive director who has:

(i) relevant experience and training in management and regulatory enforcement of sufficient scope, depth, and relevancy to enable her or him to direct the work of the Department;

(ii) high moral character; and

(iii) the minimum qualifications for Board members as listed in § 4(d)(1), (2).

(2) The Band's Mille Lacs Band of Ojibwe Personnel Policy and Procedures shall apply to the executive director.

~~(a)~~(b) **Duties of the executive director.** The executive director shall have the following duties:

(3) to administer day-to-day functions of the Department;

(4) to obtain office space and supplies, and hire administrative staff, compliance staff, and legal counsel, independent of the Solicitor General, necessary to carry out the Department's official functions, policies, activities, and objectives;

(5) to prepare and submit to the Band Assembly a proposed budget for the Department, which must be approved by the Board;

(6) to request the Office of the Solicitor General perform annual background investigations of the Board members;

(7) to develop regulations, subject to approval and promulgation by the Board, exercising the Department's powers and duties under this Code;

(8) to review environmental protection enforcement actions and nuisance complaints;

(9) to recommend changes to the Board regarding Department policies and regulations;

(10) to attend all meetings of the Board as a non-voting member;

(11) to provide administrative support to the Board;

(12) at the direction of the Board, the executive director may enter into interagency agreements with the Band's Department of Education, Department of Health and Human Services, or any other agency of the Mille

Lacs Band to obtain material and personnel support necessary to carry out the Board's mandates, policies, activities and objectives;

(13) to perform other duties assigned by the Board;

(14) to give an annual report to the Band Assembly by September 30, 2025, and each year by September 30 thereafter, which shall include:

(i) how many cannabis business licenses have been approved, revoked, suspended, or denied and how many appeals have been filed with Board;

(ii) a coordinated education program to address and raise public awareness about the top three adverse health effects, as determined by the Band's Commissioner of Health and Human Services, associated with the use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products by individuals under 21 years of age;

(iii) a coordinated education program to educate pregnant individuals, breastfeeding individuals, and individuals who may become pregnant on the adverse health effects of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products;

(iv) training, technical assistance, and educational materials for home visiting programs and child welfare workers regarding safe and unsafe use of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products in homes with infants and young children;

(v) a coordinated education program to educate middle school and high school students on the health effects on children and adolescents of the use of cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other intoxicating or controlled substances;

(vi) any environmental protection violations or nuisance allegations made against licensed cannabis businesses during the preceding year and whether current Band environmental standards for water and air quality and solid waste disposal are adequate to protect human and environmental health;

(vii) proposed legislative changes, including but not limited to recommendations to streamline licensing systems and related administrative processes, as recommended by the Board; and

(viii) any other pertinent information as determined by the Board or requested by the Band Assembly.

~~(b)~~(c) **Removal; suspension.** The executive director may be removed for good cause by a super-majority vote of four (4) out of five (5) of the Board members. In addition, if the executive director is charged with a felony in any jurisdiction, the Board shall immediately suspend the executive director with or without pay until the charges have been resolved.

(d) **Vacancy.** If there is an executive director vacancy for any reason, then the Board shall immediately appoint an interim director.

§ 6. Seed-to-Sale Electronic Tracking System.

(a) Each cannabis business or worker who has been issued a Band license shall utilize the Band's online seed-to-sale electronic tracking system utilized for plant tags, product identification, and chain of custody in order to track cannabis and cannabis products through cultivation, manufacturing, distribution and sale.

(b) The Department shall contract with an outside vendor to establish an online seed-to-sale electronic tracking system for integrated cannabis tracking, inventory management, and verification from seed to disposal or sale to eligible customers.

(c) The online seed-to-sale electronic tracking system must allow licensed cannabis businesses to submit monitoring data to the department for reporting purposes as required by regulation.

§ 7. Approval of Cannabis Flower and Products.

(a) **General.** The Department shall inspect and approve types of cannabis flower and cannabinoid products eligible for retail sale.

(b) **Tetrahydrocannabinol limits.** Unless specified within a compact with the State of Minnesota, the Department shall determine reasonable limits on the amount of tetrahydrocannabinol that products contain.

(c) **Products out of compliance.** The Department shall deem any cannabinoid products out of compliance, and thus prohibited from retail sale, that:

(1) appear to be a lollipop or ice cream;

(2) appear to be the likeness, or contains characteristics of, a real or fictional person, animal, or fruit;

(3) contains a synthetic cannabinoid;

(4) if the product is an edible product, contains an ingredient other than a cannabinoid that is not approved by the United States Food and Drug Administration for use of food; or

(5) is designed to appeal to individuals under 21 years of age.

(d) **Products in compliance.** The following product formats may be made available for retail sale:

(1) raw cannabis flower;

(2) cannabis pre-rolls;

(3) cannabis concentrates, including products intended for combustion or vaporization;

(4) cannabis topicals;

(5) cannabis tinctures and/or oral products;

(6) cannabis edibles; and

(7) any another format as approved by the Department by regulation.

§ 8. Agricultural and Food Safety Practices.

(a) **Plant propagation standards.** The Department shall establish testing and labeling requirements for the methods used to grow new cannabis plants, including but not limited to growth from seed, clone, cutting, or tissue culture. The requirements must prohibit the cultivation of cannabis plants derived from genetic engineering.

(b) **Agricultural best practices.**

(1) The department shall establish best practices for:

(i) the cultivation and preparation of cannabis plants; and

(ii) the use of pesticides, fertilizers, soil amendments, and plant amendments in relation to growing cannabis plants.

(c) **Edible cannabinoid product handling.**

(1) The department shall establish:

(i) best practices for safe food handling procedures to ensure the health and safety of the public; and

(ii) finished product packaging and storage standards to guarantee the integrity of the product.

(2) An edible cannabinoid product must not be considered adulterated solely because the product contains tetrahydrocannabinol, cannabis concentrate, or any other materials extracted or derived from a cannabis plant or flower.

(3) All edible cannabinoid product handling and manufacturing must be conducted in a safe, sanitary environment that is separate from a premises where food is manufactured.

(4) Licensed manufacturers must establish and maintain standard operating procedures that demonstrate policies and employee training on clean room standards in locations where cannabinoid products are being produced.

§ 9. Applicable Environmental Standards.

(a) **General.** Cannabis businesses within the Band's sovereign territory shall be subject to the environmental protection standards and permitting requirements established by the Band's Department of Natural Resources, including Title 11 and all applicable Band law, policies, and regulations.

(b) **Reporting.** Each licensed cannabis business is required to report any and all environmental protection enforcement actions or nuisance complaints made against the business to the Department's executive director.

(c) **Necessity of new standards.** The Department may, in consultation with the Commissioner of Natural Resources, suggest to Band Assembly whether amendments to Title 11 are necessary to:

(1) establish appropriate water standards for cannabis businesses that promote and protect the integrity of its sovereign land and surrounding communities.

(2) establish appropriate energy standards that minimizes a cannabis business' carbon footprint and environmental impact.

(3) establish appropriate solid waste standards for the disposal of:

(i) cannabis flower and cannabinoid products;

(ii) packaging;

(iii) recyclable materials, including minimum requirements for the use of recyclable materials; and

(iv) other solid waste.

(d) **Pesticide use.** All cannabis cultivators shall only apply pesticides deemed to be "Minimum Risk Pesticides" as defined by the United States Environmental Protection Agency.

§ 10. License Issuance; Transfers; Adjustments; Appeals.

(a) **Cannabis license availability.**

(1) The Department shall issue a separate, non-transferable cannabis license for each cannabis activity authorized under this Code.

(i) Each license shall be assigned a unique identification number that shall appear anywhere a "Department-issued license number" is required by this Code or applicable law.

(ii) Vertical integration is allowed such that a single applicant may be issued licenses for each different activity listed in § 10(a)(2), except where it would violate other provisions of this Code or applicable law.

(2) When the Department approves a cannabis license, a separate cannabis license shall be issued for:

(i) cannabis cultivator;

(ii) cannabis manufacturer;

(iii) cannabis wholesale;

(iv) cannabis retail (without on-site consumption);

(v) cannabis retail (with on-site consumption);

(vi) cannabis testing;

(vii) cannabis event organizer;

(viii) lower-potency hemp edible manufacturer; and

(ix) lower-potency hemp edible retailer.

(b) **Issuance of license.**

(1) The Department shall only issue cannabis licenses to enrolled Mille Lacs Band members, Mille Lacs Corporate Ventures or any Band-owned subsidiary.

(2) A cannabis license shall only be issued by the Department to a cannabis business after the following materials have been provided to and reviewed by the Department:

(i) the name, address, date of birth, and, if applicable, tribal identification number of the applicant;

(ii) the disclosure of the ownership and control under paragraph (4);

(iii) the specific cannabis activity proposed for licensure;

(iv) the mailing and physical address of the cannabis business premises where cannabis activities are intended to take place;

(v) standard operating procedures outlining that the intended methods for operation are compliant with this Code and the Department's regulations;

(vi) a list of proposed employees, including their names, addresses, dates of birth, and photo-copy of their driver's license or other government-issued identification demonstrating each individual is over 21 years of age;

(vii) criminal background checks if deemed necessary by the Department and conducted in a manner determined by the Department via regulation;

(viii) a safety and security plan that guarantees the health and safety of the cannabis business, its employees, and the surrounding community compliant with § 12(i) of this Code;

(ix) a floor plan identifying the square footage available and descriptions of each functional area of the cannabis business facility and premises; and

(x) a copy of the applicant's business plan showing the expected size of the business; anticipated growth; the methods of record keeping; the knowledge and experience of the applicant and any officer, director, manager, and general partner of the business; the environmental plan; and other relevant financial and operational components;

(xi) an explanation detailing the funding sources used to finance the business;

(xii) certification that the applicant will comply with the requirements of this Code relating to the ownership and operation of a cannabis business;

(xiii) a description of the training and education that will be provided to any employee regarding responsible cannabis use;

(xiv) any other information the Department deems relevant.

(3) No license shall be issued that would:

(i) place the Band in violation of applicable Band law, grant or funding conditions, or inter-governmental compacts;

(ii) pose a threat to the public interest or health and welfare of the Band and its communities; or

(iii) pose a threat to the effective regulation of cannabis within the Band's sovereign territory.

(4) An applicant must file and update as necessary a disclosure of ownership and control. Such ownership and control shall be 51% or more owned by an enrolled Mille Lacs Band member or 100% owned by Mille Lacs Corporate Ventures or any Band-owned subsidiary. The Department shall create the disclosure form. Such disclosure shall, at a minimum, include the following:

(i) the name, address, date of birth, and, if applicable, tribal identification number of the applicant or license holder;

(ii) the management structure;

(iii) copies of any promissory notes, security instruments, or other similar agreements; and

(iv) an explanation detailing the funding sources used to finance the business.

(5) License decisions will be made by the Department within 30 calendar days. Failure of the applicant to submit all required and Department-requested information in a timely manner will result in the application being denied.

(6) Cannabis licenses must be renewed annually with the Department in order to identify any operational changes that have been made.

(c) **License fees.** The Department shall require the payment of application fees and renewal fees for cannabis licenses. The renewal fee shall be charged at the time of the second renewal and each subsequent annual renewal thereafter. Application fees and renewal licensing fees are nonrefundable. A fee schedule shall be created and approved by the Board with the Initial Cannabis Regulations. All fees received shall be deposited in the Band's general fund and budgeted for drug abuse prevention efforts through education, prevention, and treatment for the community.

(d) **Transfers and adjustments.**

(1) Cannabis licenses are non-transferrable unless the Department determines grounds for license transfer are permissible. Permissible transfers may include, but are not limited to:

(i) change in legal business structure;

(ii) change in ownership, as long as ownership remains with an enrolled Mille Lacs Band member, Mille Lacs Corporate Ventures or any Band-owned subsidiary; or

(iii) change in location.

(A) The Department may permit relocation of a licensed cannabis business through an application that requires:

(I) new address;

(II) updated floor and site plans for new location; and

(III) changes to safety and security plan.

(e) **Compliance checks.**

(1) The Department shall conduct compliance checks of every cannabis license issued by the Band at least once a year. The checks shall assess compliance with age verification requirements, the applicable operation requirements, and the applicable limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products being sold. Such compliance checks shall be performed by an employee of the Department. The employee of the Department may request assistance from a Tribal law enforcement officer, if the employee deems it necessary for her or his safety.

(2) The Department shall conduct unannounced age verification compliance checks at least once each calendar year. Age verification compliance checks must involve persons at least 17 years of age, but under the age of 21, who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a Tribal law enforcement officer or an employee of the Department.

(f) **License denial, suspension and revocation.**

(1) The Department shall deny any license application for a cannabis business that does not meet any requirement of Band law, Band regulation, or any compacts with the State of Minnesota. Denials shall be made in writing and mailed or electronically sent to the applicant within 15 calendar days of denial.

(2) **License violations.**

(i) **Cease order**. If the Department finds probable cause to believe that a license holder is distributing any cannabis or cannabis product in violation of Band law, Band regulation, its license terms, or any compacts with the State of Minnesota, the Department must take action requiring the license holder to immediately cease distribution of products, and may tag and withdraw the cannabis or cannabis products from distribution.

(ii) **Corrective action**. The Department may issue an administrative order to any license holder that the Department determines has committed a violation of Band law, Band regulation, its license terms, or any compacts with the State of Minnesota Such orders may require the license holder to correct the violation or to cease and desist from committing the violation, or any other remedy available to the Department, including monetary penalties set by regulation or statute.

The order must clearly state the deficiencies that constitute the violation and the time by which the violation must be corrected.

(iii) **Suspension**. The Department may issue an administrative order suspending a cannabis license for violation of Band law, Band regulation, its license terms, or any compacts with the State of Minnesota.

(iv) **Revocation**. The Department may issue an administrative order revoking a cannabis license for violation of Band law, Band regulation, its license terms, or any compacts with the State of Minnesota. The Department must provide the license holder with written notice of intent to revoke the cannabis license and an opportunity for the license holder to respond.

(v) **Reconsideration.** A license holder may submit within 15 calendar days, in writing, a request for reconsideration of an administrative order if the license holder believes the administrative order is in error. The Department shall respond to the request within 15 calendar days from when the request was received.

(vi) The Department is not required to proceed first to corrective action or suspension before issuing notice of intent to revoke a license.

(g) **Appeals.** All licensees whose license has been revoked or suspended and persons who have been denied a license, may appeal to the Board pursuant to processes set forth in the Department's regulations.

(1) Appeals shall be filed with the Board within 30 calendar days after the date of receipt of notice of revocation, suspension, or denial of a license. The Board shall hold a hearing within 30 calendar days of receipt of an appeal. The Board may issue a final decision at the conclusion of the hearing or may take the matter under advisement. A final decision in the form of an order shall be made within 15 calendar days of the appeal hearing concluding. All final decisions shall be made in writing and served to all parties within two (2) calendar days of the final decision being made.

(2) All Board decisions on license actions are final and unappealable to any court.

§ 11. Inspection and License Violation.

(a) **Authority to inspect.**

(1) The Department has the authority to, upon presenting appropriate credentials to the owner, operator, or agent in charge at a licensed cannabis business and for any reason:

(i) enter any cannabis business without delay at a reasonable time;

(ii) inspect and investigate a cannabis business during regular working hours and at other reasonable times in order to review the business' conditions, equipment, records, and materials; and

(iii) question the owner, operator, or agent in charge at the cannabis business.

(b) An owner, operator, or agent in charge at a cannabis business may not refuse the entry of a Department representative for any reason. Such refusal constitutes grounds for a license violation per § 10(f)(2).

§ 12. Cannabis Business; General Operational Requirements and Prohibitions.

(a) **Age verification.**

(1) A cannabis business may not employ an individual under 21 years of age and may not contract with an individual under 21 years of age if the individual's scope of work involves the handling of cannabis plants, cannabis flower, artificially derived cannabinoids, or cannabinoid products.

(2) A cannabis business may not permit an individual under 21 years of age to enter the business premises.

(3) A cannabis business may not sell cannabis or cannabis products to an individual under 21 years of age.

(b) **Use of cannabis and cannabis products within a licensed cannabis business.**

(1) A cannabis business may not permit an employee of the licensed business to consume cannabis or cannabis products within its licensed premises or during working hours.

(2) A cannabis business may permit a qualifying consumer to consume products within its licensed premises if the cannabis business holds a retail license that permits on-site consumption.

(i) Consumption of cannabis onsite must be conducted in a designated area on the licensed premises, dedicated to consumption and located in a limited-access area of the facility.

(c) **Restricted access.**

(1) A cannabis business may not permit any individual to enter a restricted access area unless the cannabis business records the individual's name, time of entry, time of exit, authorization to enter the restricted area through use of an electronic or manual entry log, and the individual:

(i) is a cannabis worker employed by or contracted with a cannabis business;

(ii) is an employee or representative of the Department or another enforcement agency;

(iii) is a contractor of the cannabis business, including but not limited to an electrician, a plumber, an engineer, or an alarm technician, whose scope of work will not involve the handling of cannabis flower or cannabinoid products and, if the individual is working in an area with immediate access to cannabis flower and cannabinoid products, the individual is supervised at all times by a cannabis worker employed by the cannabis business; or

(iv) has explicit authorization from the Department to enter a restricted access area and, if the individual is in an area with immediate access to cannabis flower or cannabinoid products, the individual is supervised at all times by a cannabis worker employed by the cannabis business.

(2) A cannabis business shall ensure that all areas of entry to restricted areas within its licensed premises are conspicuously marked and cannot be entered without recording or logging the information outlined in § 12(c)(1) of this Code.

(3) All other visitors to a cannabis business shall be accompanied by an escort employed by the cannabis business and shall not permitted entry to restricted-access areas. The cannabis business must log the visitor's name, time of entry, time of exit, reason for visit, and the escorting employee prior to allowing access into the facility.

(d) **Ventilation and filtration.** A cannabis business must maintain a ventilation and filtration system sufficient to meet the requirements for odor control established by the Department.

(e) **Records.**

(1) A cannabis business must retain financial records for the current and previous calendar year at the primary business location and must make those records

readily available for inspection by the Department at any time during regular business hours.

(2) All other business records must be maintained by a cannabis business for a period of at least five (5) years and be made readily available for inspection by the Department upon request.

(f) **Use of seed-to sale tracking system.**

(1) A cannabis business must utilize the seed-to-sale electronic tracking system established by the Department for integrated cannabis tracking, inventory, and verification to monitor all cannabis plants, cannabis flower and cannabinoid products the cannabis business has in its possession to the point of disposal, transfer, or sale.

(2) A cannabis business shall conduct an initial comprehensive inventory of all cannabis and cannabis products in its possession including seeds or immature plants used for cultivation, manufactured goods, and finished, usable cannabis or cannabis products for retail sale. Such inventory shall include damaged, defective, expired or adulterated cannabis or cannabis products awaiting disposal.

(3) Sale and transfer of cannabis and cannabis products must be recorded in the seed-to-sale electronic tracking system within the timeframe established in § 15 of this Code.

(4) Inventory audits shall document the name, quantity, and unique product identifier and shall be reported in the seed-to-sale electronic tracking system. Inventory audits must be maintained, accurate, and up to date in the seed-to-sale electronic tracking system for reporting purposes by the Department.

(5) Any lost or stolen products must be reported to law enforcement and the Department and must be logged in the electronic tracking system as soon as the loss is discovered.

(g) **Disposal and waste management.**

(1) A cannabis business must dispose of cannabis plants, cannabis flower, and cannabinoid products that are damaged, have a broken seal, have been contaminated, or have not been sold by the expiration date on the label, if applicable.

(2) Disposal must be conducted in a manner approved by the Department which may include rendering the cannabis unusable and unrecognizable through methods such as grinding or mixing the cannabis with a greater quantity of non-cannabis material such as paper or soil. Cannabis waste is unusable and

unrecognizable if all components of the waste are indistinguishable and incapable of being ingested, inhaled, injected, swallowed or otherwise consumed.

(3) Disposed cannabis and cannabis products must be documented in the seed-to-sale electronic tracking system.

(h) **Sale of approved products.**

(1) A cannabis business may only sell cannabis and cannabis products that have been approved by the Department as outlined in § 7 of this Code.

(2) A cannabis business may not sell cannabis or cannabis products that do not meet the standards for testing, packaging, and labeling adopted in this Code.

(i) **Security.**

(1) A cannabis business must maintain and follow a security plan to deter and prevent the theft or diversion of cannabis and cannabis products, unauthorized entry into the cannabis business, and the theft of currency.

(2) A cannabis business must establish policies and procedures surrounding alarm monitoring and 24-hour video surveillance for the safety and security of the cannabis business, its employees, and the surrounding community.

§ 13. Cultivation.

(a) **Authorized actions.**

(1) Issuance of a cannabis cultivator license entitles the license holder:

(i) to grow cannabis plants within its licensed premises from seed or immature plant to mature plant;

(ii) to harvest cannabis flower from a mature plant;

(iii) to package and label the cannabis flower for sale to another licensed cannabis business;

(iv) to safely and securely transport the cannabis flower to another licensed cannabis business within or outside the Mille Lacs Band's sovereign territory as authorized in a compact with the State of Minnesota or in Minn. Stat. 3.9228(4) regarding transportation and § 16(b) of this Code; and

(v) any other actions approved by the Department.

(b) **Cultivation records.**

(1) A cannabis cultivator must prepare a cultivation record for each batch of cannabis plants and cannabis flower that is maintained electronically or in hard-copy format. Cultivation records must be maintained for a period of at least five (5) years and be made readily available to the Department upon request.

(2) In addition to the name, weight, quantity, and unique identifier, cultivation records must include the quantity and timing, where applicable, of each pesticide, fertilizer, soil amendment, or plant amendment used to cultivate the batch.

(c) **Cultivation plan.** A cannabis cultivator must prepare, maintain, and execute an operating plan and a cultivation plan which must include, but is not limited to:

(1) water usage;

(2) recycling;

(3) solid waste disposal; and

(4) a pest management protocol that incorporates integrated pest management principles to control or prevent the introduction of pests to the cultivation site.

(d) **Agricultural chemicals and pesticides.**

(1) A cannabis cultivator must request approval from the Department for any pesticides used in the cultivation of cannabis flower.

(2) A cannabis cultivator may not apply pesticides when pollinators are present or allow pesticides to drift to flowering plants that are attractive to pollinators.

(3) A cannabis cultivator is subject to the discretion of the Department regarding the use of pesticides, fertilizers, soil amendments, plant amendments, and other inputs to cultivate cannabis.

(e) **Adulteration.** A cannabis cultivator must not treat or otherwise adulterate cannabis plants or cannabis flower with any substance or compound that has the effect or intent of altering the color, appearance, weight, or smell of the cannabis.

§ 14. Manufacturing.

(a) **Authorized actions.** Issuance of a cannabis manufacturer license entitles the license holder:

(1) to purchase cannabis flower from licensed cannabis cultivators;

(2) to purchase cannabinoid products from other cannabis manufacturers;

(3) to make cannabis concentrate;

(4) to manufacture artificially derived cannabinoids;

(5) to manufacture cannabinoid products for public consumption;

(6) to package and label cannabinoid products for sale to other licensed cannabis businesses;

(7) to sell cannabis concentrate, artificially-derived cannabinoids, and cannabinoid products to other licensed cannabis businesses;

(8) to safely and securely transport cannabis concentrate, artificially derived cannabinoids, and cannabinoid products to other licensed cannabis businesses within or outside the Mille Lacs Band's sovereign territory as authorized in a compact with the State of Minnesota or in Minn. Stat. 3.9228(4) regarding transportation and § 14(b) of this Code; and

(9) any other actions approved by the Department.

(b) **Manufacturer operations.**

(1) Cannabis manufacturing must take place in an enclosed, locked facility that is exclusively used for the manufacturing of cannabinoid products or creation of artificially derived cannabinoids except in the case that the cannabis manufacturing licensee is co-located with a cannabis cultivation licensee.

(2) A facility may be co-located with another licensed cannabis business in a manner that shares general office space, bathrooms, entryways, and walkways.

(3) Cannabis manufacturing must take place on equipment that is used exclusively for the manufacturing of cannabinoid products or creation of artificially derived cannabinoids.

(4) A cannabis manufacturer must comply with all testing, packaging, labeling, and health and safety requirements adopted in this Code or via Department regulations.

(c) **Extraction and concentration.**

(1) A cannabis manufacturer must inform the Department of all methods of extraction and concentration that the manufacturer intends to use as well as identify the volatile chemicals, if any, that will be involved in the creation of cannabis concentrate. A cannabis manufacturer may not use a method of extraction and concentration or a volatile chemical without approval by the Department.

(2) A cannabis manufacturer must inform the Department of all methods of conversion that the manufacturer will use, including any specific catalysts that the manufacturer will employ in order to create artificially derived cannabinoids and the molecular nomenclature of all cannabinoids or other chemical compounds that the manufacturer will create. A cannabis manufacturer may not use a method of conversion or a catalyst without approval by the Department.

(3) A cannabis manufacturer must obtain a written statement by a professional engineer approving:

(i) all electrical, gas, fire suppression, and exhaust systems; and

(ii) the plan for safe storage and disposal of hazardous substances, including but not limited to any volatile chemicals.

(d) **Production of consumer products.**

(1) All areas within the licensed premises of a cannabis manufacturer producing cannabinoid products must be maintained in a clean and sanitary manner. A cannabis manufacturer must establish standard operating procedures that outline the business' policy for clean room standards.

(2) A cannabis manufacturer may only add chemicals or compounds to cannabis concentrate or artificially derived cannabinoids upon approval by the Department.

(3) Upon the sale of any cannabinoid product to a cannabis business, a cannabis manufacturer must provide a statement to the buyer that discloses the product's ingredients, including but not limited to any chemicals or compounds and any major food allergens declared by name.

(4) Upon the sale of any cannabinoid product to a cannabis business, a cannabis manufacturer must provide a certificate of analysis demonstrating the product has undergone and passed laboratory testing by a licensed testing facility.

(5) A cannabis manufacturer shall not add any cannabis flower, cannabis concentrate, or artificially derived cannabinoid to a product where the manufacturer of the product holds a trademark to the product's name. A cannabis manufacturer may use a trademarked food product if the manufacturer uses the product as a component or as part of a recipe and where the cannabis manufacturer does not state or advertise to the customer that the final retail cannabinoid product contains a trademarked food product.

§ 15. Retail.

(a) **Authorized actions.** Issuance of a cannabis retail license entitles the license holder:

(1) to purchase immature cannabis plants and seedlings and cannabis flower from a licensed cannabis cultivator;

(2) to purchase cannabinoid products from cannabis manufacturers;

(3) to sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabinoid products, and other products authorized by the Department to eligible customers;

(4) to sell and deliver adult-use cannabis flower and cannabinoid products to qualifying customers in accordance with § 16(b) of this Code; and

(5) any other actions approved by the Department.

(b) **Sale of cannabis and cannabinoid products.**

(1) A cannabis retailer may only sell immature cannabis plants or seedlings, adult-use cannabis flower, and adult-use cannabinoid products to individuals who are at least 21 years of age.

(2) A cannabis retailer may sell immature cannabis plants and seedlings, adult-use cannabis flower, and adult-use cannabinoid products that:

(i) are obtained by a licensed cannabis cultivator, cannabis manufacturer, or cannabis wholesaler; and

(ii) meet all applicable packaging and labeling requirements as outlined in § 18 of this Code.

(3) A cannabis retailer may sell up to two (2) ounces of adult-use cannabis flower, eight (8) grams of adult-use cannabis concentrate, and edible cannabinoid products infused with 800 milligrams of tetrahydrocannabinol during a single transaction to a customer.

(i) Edible cannabinoid products may not include more than ten (10) milligrams per serving and a single package may not include more than a total of 100 milligrams of tetrahydrocannabinol.

(A) A package may contain multiple servings of ten (10) milligrams of tetrahydrocannabinol provided that each serving is indicated by scoring, wrapping or other indicators designating the individual serving size.

(c) **Sale of non-cannabis products.** A cannabis retailer may sell cannabis paraphernalia, including but not limited to:

(1) childproof packaging containers and other devices designed to ensure the safe storage and monitoring of cannabis flower and cannabinoid products in the consumer's home to prevent access by individuals under 21 years of age;

(2) drinks that do not contain alcohol or cannabis and are packaged in sealed containers labeled for retail sale;

(3) books and videos on the cultivation and use of cannabis flower and cannabinoid products;

(4) magazines and other publications published primarily for information and education on cannabis plants, cannabis flower, and cannabinoid products;

(5) multiple-use bags designed to carry purchased items;

(6) clothing or other Department-approved merchandise marked with the specific name, brand, or identifying logo of the cannabis retailer; and

(7) paraphernalia designed for consumption of cannabis products sold at the retail store.

(d) **Age verification.**

(1) Prior to entering the licensed retail premises and initiating a sale, an employee of a licensed cannabis retailer must verify that the customer is at least 21 years of age. Proof must be established only by one of the following:

(i) A valid driver's license or identification card issued by a state or province of Canada including the photograph and date of birth of the licensed person;

(ii) a valid Tribal identification card;

(iii) a valid instructional permit issued to a person of legal age to purchase adult-use cannabis or adult-use cannabinoid products, which includes a photograph and the date of birth of the person issued the permit; or

(iv) a valid passport.

(2) A cannabis retailer may seize a form of identification listed under § 15(d)(1) if the cannabis retailer has reasonable grounds to believe that the form of identification has been altered or falsified or is being used to violate any law. A cannabis retailer that seizes a form of identification as authorized under this section must retain a copy of the photo identification for its business records and deliver the confiscated identification to law enforcement within 48 hours of seizing it.

(e) **Display of cannabis flower and cannabinoid products.**

(1) A cannabis retailer must designate a retail area where customers are permitted to purchase cannabis and cannabis products.

(2) The retail area shall include a portion of the premises where samples of cannabis flower and cannabinoid products that are available for sale are displayed. All other cannabis flower and cannabinoid products must be securely stored in a limited-access area located behind the point-of sale or in a designated storage area inaccessible by customers.

(3) A cannabis retailer may display one sample of each type of cannabis flower or cannabinoid product that is available for sale.

(i) Samples of cannabis flower and cannabinoid products must be stored in a sample jar or display case and be accompanied by a label or notice containing the information required to be affixed on the packaging or container containing cannabis flower and cannabinoid products sold to customers.

(ii) Samples may not consist of more than eight (8) grams of adult-use cannabis flower or adult-use cannabis concentrate or an edible cannabinoid product infused with more than 100 milligrams of tetrahydrocannabinol.

(4) A cannabis retailer may allow customers to smell the cannabis flower or cannabinoid product before purchase.

(5) Samples of cannabis flower or cannabinoid products may not be readily accessible to customers. All sampling must be conducted under the supervision of an employee of the licensed retail store.

(6) A cannabis retailer may not sell cannabis flower or cannabinoid products used as a sample for display.

(f) **Posting of notices.** Cannabis retailers must post all notices as required by the Department, including but not limited to:

(1) information about any product recall;

(2) a statement that operating a motor vehicle under the influence of intoxicating cannabinoids is illegal; and

(3) a statement that cannabis flower and cannabinoid products are only intended for consumption by individuals who are least 21 years of age.

(g) **On-site consumption.**

(1) Cannabis retailers may request as part of their license, approval by the Department for an on-site consumption area.

(2) In any approved on-site consumption area, the following restrictions must apply:

(i) cannabis retailers shall designate an enclosed, limited access area dedicated to on-site consumption.

(ii) a cannabis retailer shall control and restrict ingress and egress to the on-site consumption area with placement of an employee of the licensed cannabis retail store at the entrance to the on-site consumption area.

(iii) a cannabis retailer shall be subject to inspection by the Department or other authorized individuals while the consumption area is open for business.

(iv) a cannabis retailer must establish standard operating procedures for the purpose of training employees to identifying intoxication and substance abuse in customers.

(h) **Building conditions.**

(1) A licensed cannabis retailer must ensure that the licensed premises is maintained in a clean and sanitary condition, free from infestation by insects, rodents, and other pests.

(2) A cannabis retailer must maintain a separate, secure premises designated for retail sales.

(i) **Security.**

(1) A cannabis retailer must establish and maintain a safety and security plan in compliance with § 12(i) of this Code.

(i) The safety and security plan must include, but is not limited to, requirements for:

(A) maintaining video surveillance records;

(B) use of specific locking mechanisms;

(C) establishment of secure entries; and

(D) the number of employees working at all times.

(2) All deliveries to the cannabis retail store from licensed cannabis businesses must be accepted into a limited access area.

(j) **Lighting.** A cannabis retailer must keep all lighting outside and inside the retail store in good working order with wattage sufficient for security cameras.

(k) **Prohibitions.** A cannabis retailer shall not:

(1) knowingly sell more cannabis flower or cannabinoid products than a customer is legally permitted to possess;

(2) give away immature cannabis plants or seedlings, cannabis flower, or cannabinoid products for free;

(3) allow for the dispensing of cannabis plants, cannabis flower, or cannabinoid products in vending machines; or

(4) sell cannabis plants, cannabis flower, or cannabinoid products if the cannabis retailers know that any required security or electronic tracking systems are not operational.

§ 16. Wholesale; Transportation; Delivery.

(a) **Wholesale.**

(1) **Authorized actions.**

(i) A cannabis wholesale license entitles the license holder to:

(A) purchase immature cannabis plants and seedlings, cannabis flower, and cannabinoid products from cannabis cultivators, and cannabis manufacturers within Mille Lacs Band sovereign territory or across the State of Minnesota; and

(B) sell immature cannabis plants and seedlings, cannabis flower, and cannabinoid products to cannabis manufacturers and cannabis retailers within Mille Lacs Band sovereign territory, or across the State of Minnesota if permitted by State law.

(ii) A cannabis wholesaler may purchase and sell other products or items for which the cannabis wholesaler has a license or authorization or that do not require a license or authorization. Products for which no license or authorization is required include but are not limited to cannabis paraphernalia such as childproof packaging containers and other devices designed to ensure the safe storage and monitoring of cannabis flower and cannabinoid products in a home to prevent access by individuals under 21 years of age.

(iii) Cannabis activity that is conducted outside of the Band's sovereign territory within the State of Minnesota must be conducted in compliance with the State of Minnesota's cannabis laws.

(2) **Separation of products.** A cannabis wholesaler must ensure the cannabis products, cannabis flower, and cannabinoid products are physically separated from all other products in a manner that prevents any cross-contamination.

(3) **Records and labels.** A cannabis wholesaler must maintain accurate records and ensure that appropriate labels remain affixed to cannabis plants, cannabis flower, and cannabinoid products as outlined in § 18 of this Code.

(4) **Building conditions.**

(i) A cannabis wholesaler must ensure that the licensed premises is maintained in a clean and sanitary condition, free from infestation from insects, rodents, and other pests.

(ii) A cannabis wholesaler must maintain compliance with applicable building, fire, and zoning requirements or regulations.

(b) **Transportation and delivery.**

(1) **Authorized actions.**

(i) Licensed cannabis cultivators, manufacturers, retailers, and wholesalers are authorized to transport or delivery immature cannabis plants and seedlings, cannabis flower, and cannabinoid products as permitted by the licensee's authorized actions in compliance with this section, except that transportation and delivery outside of the Band's sovereign territory must comply with the State of Minnesota's cannabis laws.

(2) **Transportation operations.**

(i) Before transporting cannabis plants and seedlings, cannabis flower, and cannabinoid products, a licensee must obtain a shipping manifest through the established seed-to-sale tracking system determined by the Department. The manifest must be kept with the products at all times and the licensee must maintain a copy of the manifest in its records.

(ii) Records of transportation must be kept for a minimum of three (3) years at the licensee's place of business and are subject to inspection upon request by the Department.

(A) Records of transportation include the following:

(I) copies of transportation manifests for all deliveries;

(II) a transportation log documenting the chain of custody for each delivery, including every employee and vehicle used during transportation; and

(III) financial records showing payment for transportation services.

(iii) Cannabis plants and seedlings, cannabis flower, and cannabinoid products must be transported in a locked, safe, and secure storage compartment that is part of the motor vehicle or in a locked storage container that has a separate key or combination pad.

(iv) Cannabis plants and seedlings, cannabis flower, and cannabinoid products may not be visible from outside the motor vehicle.

(v) No vehicle or trailer may contain an image depicting the types of items being transported, including but not limited to an image depicting a cannabis leaf or a name suggesting that the vehicle is used in transporting cannabis products.

(vi) A licensee must ensure that all delivery times and routes are randomized.

(vii) All transportation vehicles transporting cannabis plants and seedlings, cannabis flower, and cannabinoid products must be staffed with a minimum of two employees. At least one delivery team member must remain with the motor vehicle at all times that the motor vehicle contains cannabis products.

(A) Only a cannabis worker employed by or contracted with the licensee who is at least 21 years of age may transport cannabis plants and seedlings, cannabis flower, and cannabinoid products.

(B) All passengers in a vehicle must be a cannabis worker employed by or contracted with the licensee.

(C) All drivers must carry a valid driver's license with the proper endorsement when operating a vehicle transporting cannabis plants and seedlings, cannabis flower, or cannabinoid products.

(viii) Any vehicle assigned for the purpose of transporting cannabis plants and seedlings is subject to inspection and may be stopped or inspected at any licensed cannabis business or while en route during transportation.

(3) **Delivery operations.**

(i) Prior to completing a delivery, a licensee must verify that the customer is at least 21 years of age prior to completing the delivery.

(ii) Receipt of cannabis flower and cannabinoid products by the licensee and delivery to a customer must be recorded in the established seed-to-sale tracking system.

(iii) Licensees must maintain records for delivery services conducted including but not limited to, proof of delivery to individuals who are at least 21 years of age.

(iv) The Department shall establish limits on the amount of cannabis flower and cannabis products that a licensee may deliver.

(v) Cannabis flower and cannabinoid products must be transported in a locked, safe, and secure storage compartment that is part of the cannabis delivery vehicle or in a locked storage container that has a separate key or combination pad.

(A) Cannabis flower and cannabinoid products may not be visible from outside of the cannabis delivery vehicle.

(B) No cannabis delivery vehicle or trailer may contain an image depicting the types of items being transported, including but not limited to an image depicting cannabis or a name suggesting that the cannabis delivery vehicle is used for transporting cannabis flower or cannabinoid products.

(vi) Only a cannabis worker employed by or contracted with the licensee and who is at least 21 years of age may transport cannabis flower or cannabinoid products.

(A) All passengers in the cannabis delivery vehicle must be cannabis workers employed by or contracted with the cannabis delivery service.

(vii) Any cannabis delivery vehicle is subject to inspection or may be stopped or inspected at any licensed cannabis business or while en route during transportation.

§ 17. Testing.

(a) **Authorized actions.** A cannabis testing facility license entitles the license holder to obtain and test immature cannabis plants and seedlings, cannabis flower, and cannabinoid products from licensed cannabis cultivators, cannabis manufacturers, and cannabis wholesalers.

(b) **Testing facility operations.**

(1) A cannabis testing facility must provide some or all of the testing services outlined in § 17(c) of this Code.

(2) A cannabis testing facility shall follow all testing protocols, standards, and criteria adopted in this Code for the testing of different forms of:

(i) cannabis flower and cannabinoid products;

(ii) determining batch size;

(iii) sampling;

(iv) testing validity; and

(v) approval or disapproval of tested cannabis plants and seedlings, cannabis flower, and cannabinoid products.

(3) Records of all business transactions and testing results, records required to be maintained pursuant to any applicable standards of accreditation, and records relevant to testing protocols, standards, and criteria adopted by the Department and this Code must be kept for a minimum of at least three (3) years at the cannabis testing facility's place of business and are subject to inspection by the Department upon request.

(4) A testing facility shall dispose of or destroy used, unused, and waste cannabis plants and seedlings, cannabis flower, or cannabis in a manner determined by the Department in accordance with § 11(g) of this Code.

(c) **Testing standards and requirements.**

(1) A cannabis business shall not sell or offer for sale cannabis flower or cannabinoid products to another cannabis business or to a customer, or otherwise transfer cannabis flower or cannabinoid products to another cannabis business unless:

(i) a representative sample of the batch of cannabis flower or cannabinoid product has been tested according to this section and regulations adopted under this Code;

(ii) the testing was completed by a cannabis testing facility that has been issued a laboratory testing facility license within or outside the Mille Lacs Band's sovereign territory, including facilities licensed by the State of Minnesota; or

(iii) the tested sample of cannabis flower or cannabinoid product was found to meet the testing standards established in this section.

(2) The Mille Lacs Band requires all licensed cannabis testing facilities located within its sovereign territory to abide by the standards and procedures set by State of Minnesota regulation under Minn. Stat. 342.61.

(i) This includes but is not limited to, procedures governing the sampling, handling, testing, storage, and transportation of cannabis flower or cannabinoid products tested including:

(A) the contaminants for which cannabis flower or cannabinoid products must be tested;

(B) standards for potency and homogeneity testing; and

(C) procedures applicable to cannabis businesses and cannabis testing facilities regarding cannabis flower and cannabinoid products that fail to meet the standards for allowable levels of contaminants established by the terms in this Code, that fail to meet the potency limits established under this Code, or that do not conform with the content of the cannabinoid profile listed on the product's label.

(3) All testing required under this section must be performed in a manner that is consistent with generally-accepted requirements for testing and calibration activities.

§ 18. Packaging and Labeling.

(a) **General.** All cannabis flower and cannabinoid products sold to customers must be packaged and labeled in accordance with this section.

(b) **Packaging requirements.**

(1) All cannabis flower and cannabinoid products sold to customers must be:

(i) pre-packaged in packaging or a container that is plain, child-resistant, tamper-evident, and opaque; or

(ii) placed in a packaging or a container that is plain, child-resistant, tamper-evident, and opaque at the final point of sale to a customer.

(2) An edible cannabinoid product containing more than a single serving must be pre-packaged or placed at the final point of sale in packaging or a container that is resealable.

(c) **Packaging prohibitions.**

(1) Cannabis flower and cannabinoid products sold to customers must not be packaged in a manner that:

(i) bears a reasonable resemblance to any commercially available product that does not contain cannabinoids, whether the manufacturer of the product holds a registered trademark or has registered the trade dress; or

(ii) is designated to appeal to a person under 21 years of age.

(2) Packaging for cannabis flower and cannabinoid products must not contain or be coated with any perfluoroalkyl substance.

(3) Edible cannabinoid products must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food.

(d) **Content of label: cannabis flower.** All cannabis flower sold to customers must have affixed on the packaging or container of the cannabis flower, a label that contains at least the following information:

(1) the name and Department-issued license number of the cannabis cultivator where the cannabis flower was cultivated;

(2) the net weight or volume of cannabis flower in the package or container;

(3) the batch number;

(4) the cannabinoid profile;

(5) a universal symbol established by the Department indicating that the package or container contains cannabis flower;

(6) verification that the cannabis flower was tested according to § 17 of this Code and that the cannabis flower complies with the applicable standards;

(7) the maximum dose, quantity, or consumption that may be considered safe within a 24-hour period;

(8) the following statement: "Keep this product out of reach of children"; and

(9) any other statements or information required by the Department.

(e) **Content of label: cannabinoid products.** All cannabinoid products sold to customers must have, affixed to the packaging or container of the cannabis product, a label that contains at least the following information:

(1) the name and Department-issued license number of the cannabis cultivator that cultivated the cannabis flower used in the cannabinoid product;

(2) the name and Department-issued license number of the cannabis manufacturer that manufactured the cannabis concentrate;

(3) the net weight or volume of the cannabinoid product in the package or container;

(4) the type of cannabinoid product;

(5) the batch number;

(6) the serving size (if applicable);

(7) the cannabinoid profile per serving and in total;

(8) a list of ingredients;

(9) a universal symbol established by the Department indicating that the package or container contains a cannabinoid product;

(10) verification that the cannabinoid product was tested according to § 17 of this Code and that the cannabinoid product complies with the applicable standards;

(11) the maximum dose, quantity, or consumption that may be considered safe within a 24-hour period;

(12) the following statement: "Keep this product out of reach of children"; and

(13) any other statements or information required by the Department.

(f) **Additional information.**

(1) A cannabis retailer may provide customers with the additional information by:

(i) including the information on the label affixed to the packaging or container of cannabis flower or cannabinoid product;

(ii) posting the information in the premises of the cannabis retailer; or

(iii) providing the information on a separate document or pamphlet provided to customers when a customer purchases cannabis flower or a cannabinoid product.

(2) Additional information may include:

(i) factual information about impairment effects and the expected timing of impairment effects, side effects, adverse effects, and health risks of cannabis flower and cannabinoid products;

(ii) a statement that customers must not operate a motor vehicle or heavy machinery while under the influence of cannabis flower or a cannabinoid product;

(iii) resources customers may consult to answer questions about cannabis flower, cannabinoid products, and any side effects and adverse effects;

(iv) contact information for the poison control center and a safety hotline or website for customers to report and obtain advice about side effects or adverse effects of cannabis flower and cannabinoid products; and

(v) any other information specified by the Department.

§ 19. Advertising.

(a) **Limitations applicable to advertisements.**

(1) No cannabis business shall publish, or cause to be published, an advertisement for cannabis flower, a cannabinoid product, or a cannabis business in a manner that:

(i) contains false or misleading statements;

(ii) contains unverified claims about the health or therapeutic benefits or effects of consuming cannabis flower or a cannabis product;

(iii) promotes the overconsumption of cannabis flower or cannabis products; or

(iv) depicts a person under 21 years of age consuming cannabis flower or a cannabis product.

(2) A cannabis business may publish an advertisement for cannabis flower, a cannabinoid product, or a cannabis business in a manner that reasonably appeals to individuals who are over 21 years of age.

(3) Advertising activity that is conducted outside of the Band's sovereign territory within the State of Minnesota must be conducted in compliance with the State of Minnesota's cannabis laws.

(b) **Outdoor advertisements.**

(1) A cannabis business may advertise its business on an outdoor sign with approval from the Department and in compliance with § 19(a) of this Code.

(2) A cannabis business may erect up to two fixed outdoor signs on the exterior of the building or property of the cannabis business.

(i) A fixed outdoor sign:

(A) may contain the name of the cannabis business and the address and nature of the cannabis business; and

(B) may include the cannabis business' logo.

(c) **Audience under 21 years of age.** A cannabis business shall not publish an advertisement of cannabis flower, a cannabinoid product, or a cannabis business in any print publication or on radio, television, or any other medium if 70 percent or more of the audience of that medium is reasonably expected to be individuals who are over 21 years of age, as determined by reliable, current audience composition data.

§ 20. Limitation on Consumption; Locations of Consumption.

(a) Nothing in this Code permits any person to engage in, and does not prevent the imposition of any civil, criminal, or other penalties for:

(1) undertaking a task under the influence of cannabis that would constitute negligence or professional malpractice;

(2) possessing or consuming cannabis:

(i) on a school bus or van;

(ii) in a correctional facility; or

(iii) on the grounds of a child care facility or family or group day care program;

(3) vaporizing or smoking cannabis:

(i) on any form of public transportation;

(ii) where the vapor or smoke would be inhaled by a minor; or

(iii) in any public place, including any indoor or outdoor area used by, or open to, the general public or a place of employment, except as permitted by licensed retailers with approval for on-site consumption;

(4) operating, navigating, or being in actual, physical control of a motor vehicle, aircraft, train, or motorboat; or

(5) working on transportation property, equipment or facilities or in other safety-sensitive jobs or industries while under the influence of cannabis.

§ 21. Ownership and Use of Mille Lacs Corporate Ventures' Revenues.

(a) **Mille Lacs Band property.** All revenues generated from a Mille Lacs Corporate Ventures cannabis license shall be the sole property of the Band. All profits and net revenues shall be deposited into the Band's general treasury. Once deposited into the general treasury, such funds shall not be identified as cannabis funds. No individual Band member shall be deemed to have any interest in such profits or net revenues generated from a Mille Lacs Corporate Ventures cannabis license.

(b) **Use of net revenues.** Net revenues derived from a Mille Lacs Corporate Ventures cannabis license shall follow the Net Revenue Allocation Schedule pursuant to 16 MLBS § 108.

§ 22. Personal Adult Use of Cannabis.

(a) **Personal adult use, possession, and transportation of cannabis flower and cannabinoid products.**

(1) An individual 21 years of age or older may:

(i) use, possess, or transport cannabis paraphernalia;

(ii) possess or transport two (2) ounces or less of adult-use cannabis flower in a public place;

(iii) possess two (2) pounds or less of adult-use cannabis flower in the individual's private residence;

(iv) possess or transport eight (8) grams or less of adult-use cannabis concentrate;

(v) possess or transport edible cannabis products or lower-potency hemp edibles infused with a combined total of 800 milligrams or less of tetrahydrocannabinol;

(vi) give, for no remuneration to an individual who is at least 21 years of age:

(A) two ounces or less of adult-use cannabis flower;

(B) eight grams or less of adult-use cannabis concentrate;

(C) an edible cannabis product or lower-potency hemp edible infused with 800 milligrams or less of tetrahydrocannabinol; and

(vii) use adult-use cannabis flower and adult-use cannabis products in the following locations:

(A) in a private residence, including the individual's curtilage or yard;

(B) on private property, not generally accessible by the public, unless the individual is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner, manager or lessee of the property; or

(C) on the premises of an establishment or event licensed to permit on-site consumption.

(2) Except as provided in paragraph (3), an individual may not:

(i) use, possess, or transport cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products if the individual is under 21 years of age;

(ii) use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a motor vehicle as defined in Title 23;

(iii) use cannabis flower, cannabis products, or hemp-derived consumer products in a manner that involves the inhalation of smoke, aerosol, or vapor at any location where smoking is prohibited;

(iv) use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place, which shall include any Band-owned government-operated building, a Band school as defined in Title 9, ceremonial building, community centers, Band-owned treatment facilities, health clinics, halfway houses, or any Band-owned building that has a posted sign; this list does not include Mille Lacs Corporate Ventures or any Band-owned subsidiary;

(v) operate a motor vehicle while under the influence of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;

(vi) give, for no remuneration, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to an individual under 21 years of age;

(vii) give for no remuneration cannabis flower or cannabis products as a sample or promotional gift if the giver is in the business of selling goods or services; or

(viii) vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor.

(3) The prohibitions under paragraph (2), clauses (i) to (iv), do not apply to use other than by smoking or by a vaporized delivery method, possession, or transportation of medical cannabis flower or medical cannabinoid products by a patient; a registered designated caregiver; or a parent, legal guardian, or spouse of a patient.

(b) **Home cultivation of cannabis for personal adult use.** Up to eight (8) cannabis plants, with no more than four (4) being mature, flowering plants may be grown at a single, private residence, including the curtilage or yard, without a license to cultivate cannabis issued under this chapter provided that cultivation takes place at the primary residence of an individual 21 years of age or older and in an enclosed, locked space that is not open to public view.

(c) **Prohibition of home cultivation of cannabis for personal adult use.** Landlords owning or managing rental property on Band-owned land may prohibit cannabis cultivation for personal adult use as described in § 22(b).

(d) **Prohibition of cannabis in HUD homes.** Individuals living in a Band-owned HUD (Housing and Urban Development) home shall be prohibited from cultivating cannabis as described in § 22(b) of this chapter, selling, using, or possessing cannabis while on the premises of any HUD home. Any penalty to this subsection shall be addressed in a Housing policy.

(e) **Home extraction of cannabis concentrate by use of volatile solvent prohibited.** No person may use a volatile solvent to separate or extract cannabis concentrate without a license issued under this Code.

(f) **Sale of cannabis flower and products prohibited.** No person may sell cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products without a license issued under this Code that authorizes the sale.

(g) **Penalties.**

(1) The Department may assess a civil penalty of up to $250 per offense against a person who sells cannabis flower, cannabis products, cannabis concentrate,

lower-potency hemp edibles, or hemp-derived consumer products without a license issued under this chapter that authorizes the sale.

(2) The Department may assess a civil penalty of up to $250 per offense against a person who violates § 22 (a)(2).

~~(2)~~(3) The Department may assess a civil penalty of up to $100 for each plant grown in excess of the limit against a person who grows more than eight (8) cannabis plants or more than four (4) mature, flowering plants, without a license to cultivate cannabis issued under this Code.

§ 23. Violations.

In addition to penalties listed in this subsection, a person who violates the provisions of this Code is subject to any applicable criminal penalty.

§ 24. Provisional License for Mille Lacs Corporate Ventures.

Mille Lacs Corporate Ventures shall obtain a provisional cannabis license for each license as listed in § 10(a)(2). All provisional licenses may be granted by a Resolution of the Band Assembly starting on the effective date of this Act and shall expire on December 31, 2024. After expiration of all provisional cannabis licenses, Mille Lacs Corporate Ventures shall obtain any and all cannabis licenses through the Department's processes as listed above.

§ 25. Medical Marijuana.

The Minnesota Cannabis Registry for medical marijuana patients and their caregivers, and in particular, Minnesota registry verification cards, shall be recognized by the Band and by the Mille Lacs Band of Ojibwe Personnel Policies pursuant to 6 MLBS § 1.

Section 2. Amending 22 MLBS § 509 to add a subsection.

(a) There is hereby imposed, a special surcharge tax, requiring that one percent (1%) of gross cannabis sales within the Band's sovereign territory be distributed to the Mille Lacs Band of Ojibwe government to fund drug abuse prevention efforts through education, prevention, and treatment for the community.

Section 3. Amending 23 MLBS §§ 1, 7.

§ 1. Incorporation by Reference.

(a) For the purpose of enforcing 23 MLBS § 7, the Band Assembly hereby creates Title 23 of the Mille Lacs Band Statutes ~~Annotated~~. Title 23 shall be ~~en~~titled "Prohibited Drugs". It is the intent of the Band Assembly to incorporate the following provisions of the Statutes of the State of Minnesota, Chapter 152 ~~Prohibited Drugs~~Drugs; Controlled Substances as Title 23 of the Mille Lacs Band Statutes ~~Annotated~~. The intent of the Band Assembly is to exercise concurrent criminal jurisdiction with the State of Minnesota pursuant to the provisions of 18 U.S.C. § 1162 to protect the general health, welfare, and safety of those persons who reside on lands subject to the jurisdiction of the Band. The following provisions of Minnesota Statutes Chapter 152 are hereby incorporated by reference into this title:

(1) Section 152.01 – Definitions;

(2) Section 152.02 – Schedule of Controlled Substances;

~~(3) Section 152.09 – Prohibited Acts~~

~~(4)~~(3) Section 152.10 – Sales, Persons Eligible; and

~~(5)~~(4) Section 152.12 – ~~Doctors may Prescribe~~Health Care Providers May Prescribe

~~(6) Section 152.19 – Forfeitures~~

~~(7) Section 152.21, Subdivision 6 – THC Therapeutic Research Act/Exemption from Criminal Sanction~~

(b) All subsections within an above sectional listing shall apply.

(c) The following provisions of Minnesota Statutes, Chapter 152, shall be incorporated by reference into this title for the purposes of enforcement:

(1) Sections 152.01 - Definitions~~,~~;

(2) Section 152.02 - Schedules of Controlled Substances~~,~~;

(3) Section 152.10 - Sales, Persons Eligible~~,~~;

(4) Section 152.11 - ~~Written or Oral~~ Prescriptions~~,~~ ~~Requisites,~~ ; and

~~(1)~~(5) Section 152.12 - ~~Doctors~~ Health Care Providers May Prescribe~~,~~ ~~shall be incorporated by reference into this title for the purposes of enforcement. Provisions of Section 152.19 – Forfeiture are applicable.~~

§ 7. Possession within Motor Vehicle.

(a) Any person who is the owner of a private motor vehicle, or the driver of a motor vehicle if the owner is not present, and who possesses on her or his person or knowingly keeps or allows to be kept in a motor vehicle within the area of the vehicle normally occupied by the driver or passengers ~~any marijuana or~~ controlled drugs or violates 15 MLBS § 22(a)(1)(i),(ii), (iv), or (v) or 15 MLBS § 22(a)(2)(i), shall be deemed guilty of an offense, and upon conviction thereof, ~~may be sentenced to incarceration or labor for a period of time not to exceed 180 days, and/or~~ may receive a fine not to exceed $500.00, provided that the violation of Title 15 or introduction of ~~said~~ controlled substance on lands under the jurisdiction of the Band is not for illegal distribution purposes. The judge or jury shall specifically enter a finding of intent based upon the evidence introduced at trial. Should the judge or jury enter a finding of intent to distribute, upon conviction thereof, a sentence of exclusion from all lands under the jurisdiction of the Non-Removable Mille Lacs Band of ~~Chippewa Indians~~Ojibwe for a period of time at the discretion of the Court shall be imposed.

(b) The area of the vehicle shall not include the trunk of the motor vehicle when such vehicle is equipped with a trunk or another area of the vehicle not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. A utility or glove compartment shall be deemed to be within the area occupied by the driver and passenger.

(1) For any person 21 years old and older, t~~T~~he existence of more than 2 ounces of cannabis flower, 8 grams of concentrate, or 800 milligrams of edible product (including low-potency hemp-derived product)~~.05 ounces of marijuana~~ in the trunk of any motor vehicle shall be prima facie evidence of an intent to illegally distribute.

(2) For any person 20 years old and younger, the existence of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in the trunk of any motor vehicle shall be prima facie evidence of an intent to illegally distribute.

EFFECTIVE DATE. This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.

Act 03-24
(Band Assembly Bill 21-01-03-24)

Introduced to the Band Assembly on this
Ninth day of January in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Ninth day of January in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: January 17, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

VETO

MILLE LACS BAND OF OJIBWE

Executive Branch of Tribal Government

January 16th, 2024

Honorable Members of the Band Assembly
43408 Oodena Drive
Onamia, MN 56359

Dear Honorable Members of the Band Assembly:

Please accept this letter as formal notice that, while I support legislation to authorize and regulate cannabis, I have concerns about how some of the provisions in the bill are worded that could be problematic for the Band and the business. I have also identified typos that need correcting and, as such, I have no choice but to veto Band Assembly Bill 21-01-03-24 (the "Cannabis Code") in its current iteration. I look forward to meeting with you to improve the bill and make corrections so we can get legislation adopted into law.

I will continue reviewing the bill, and respectfully request that your staff provide my office with an electronic version of the bill that can be edited so that we can provide you with a redlined version recommending specific language. Please copy Percy Benjamin, Emily Johnson and Rebecca St. George on that email.

I have appreciated our discussions about how to enter the cannabis industry in a manner that serves the best interests of the Band and its members, as well as everyone's diligent and hard work on the proposed bill. I look forward to discussing these issues in the future, and I am confident that we can come to a resolution.

Sincerely,

Melanie Benjamin
Chief Executive

DISTRICT I
43408 Oodena Drive Onamia, MN 56359
(320) 532-4181 Fax (320) 532-4209

DISTRICT II
36666 State Highway 65 McGregor, MN 55760
(218) 768-3311 Fax (218) 768-3903

DISTRICT IIA
2605 Chiminising Drive Isle, MN 56342
(320) 676-1102 Fax (320) 676-3432

DISTRICT III
45749 Grace Lake Road Sandstone, MN 55072
(320) 384-6240 Fax (320) 384-6190

URBAN OFFICE
1404 East Franklin Avenue Minneapolis, MN 55404
(612)872-1424 Fax (612) 872-1257

Act 04-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Administration Policy Board on December 22, 2023.

The District III Representative introduced the following Bill on the 9th day of January, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch Executive Branch for the Fiscal Year ending September 30, 2023.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	Supplemental	Cross-Reference
Executive Branch		Administration Policy Board Minutes (December 14, 2023)
Health & Human Services		
Safe Harbor Federal MDH 223-4745 Of FY2024 Grant Funds	$50,500.00	Attachment # 12
Psychiatry MH 222-4425 Of FY2024 Miscellaneous Funds	$2,528,420.00	Attachment # 13
Psychiatry MH 222-4425 Of FY2024 Drink Tax Miscellaneous Revenue Funds	$1,808,705.00	Attachment # 13

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 04-24

(Band Assembly Bill 21-01-04-24)

Introduced to the Band Assembly on this
Ninth day of January in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Ninth day of January in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: January 12, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 05-24

An Act of Supplemental Appropriation for the February and March 2024 Tribal Per Capita Distribution for Adults for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on January 11, 2024.

The District I Representative introduced the following Bill on the 17th day of January, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Legislative Branch		Per Cap spreadsheet (January 11, 2024)
Per Capita Distribution		
Adults 100-1980 Of FY2024 Per Capita Distribution Funds	$4,931,817.00	

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 05-24

(Band Assembly Bill 21-01-05-24)

Introduced to the Band Assembly on this
Seventeenth day of January in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Seventeenth day of January in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: January 18, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 06-24

An Act of Supplemental Appropriation for the February and March 2024 Tribal General Welfare Exclusion Act ("TGWEA") Assistance Payment Program for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on January 11, 2024.

The District II Representative introduced the following Bill on the 17th day of January, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Legislative Branch		TGWEA Assistance Payment Memo & documents (January 11, 2024)
Office of Management and Budget		
TGWEA Assistance Payments 100-1990 Of FY2024 Long-term Savings Investment Income Funds	$8,802,952.00	

Section 1.02: Child support. A maximum of ninety-five dollars and 00 cents ($95.00) may be intercepted from each of the February and March 2024 disbursements, for the payment of ongoing child support obligations or past-due arrearages. The Band's Child Support Enforcement Program is not required to provide any notice to obligors prior to intercepting any funds as described herein.

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 06-24

(Band Assembly Bill 21-01-06-24)

Introduced to the Band Assembly on this
Seventeenth day of January in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Seventeenth day of January in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: January 18, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 07-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing budget revision(s)/transfer(s) for the Tribal Employment Rights Office, and Gaming Regulatory Authority for the Fiscal Years ending September 30, 2023, September 30, 2024, and September 30, 2025. This bill has been drafted based on formal documents submitted by the Director of Tribal Employment Rights Office on January 9, 2024; and the Executive Director of Gaming Regulatory Authority on January 11, 2024.

The District III Representative introduced the following Bill on the 17th day of January, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby authorizes the following budget revision(s)/transfer(s) for the Tribal Employment Rights Office and Gaming Regulatory Authority for the Fiscal Years ending September 30, 2023, September 30, 2024, and September 30, 2025.

Section 1.02: Budget revision/transfers. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2023 Tribal Employment Rights Office: a budget transfer from the Department of Athletic Regulation to the Tribal Employment Rights Office budget for year-end budget cleanup as submitted (memo from TERO Director dated January 5, 2024):

Department of Athletic Regulations 100-1090	($23,246.99) to
Tribal Employment Rights Office 100-2130	$23,246.99

FY2024 Gaming Regulatory Authority: a payroll budget revision to move monies within the GRA Compliance budget to cover payroll expenditures as submitted (Memo from the Executive Director of Gaming Regulatory Authority dated January 11, 2024):

GRA Compliance 106-1880	$44,820.00– **Total**

FY2025 Gaming Regulatory Authority: a payroll budget revision to move monies within the GRA Compliance budget to cover payroll expenditures as submitted (Memo from the Executive Director of Gaming Regulatory Authority dated January 11, 2024):

GRA Compliance 106-1880	$61,048.00– **Total**

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 07-24

(Band Assembly Bill 21-01-07-24)

Introduced to the Band Assembly on this
Seventeenth day of January in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Seventeenth day of January in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: January 18, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 08-24

An Act Repealing and Replacing Act 04-24 to correct the amount for the Drink Tax Miscellaneous Revenue Funds. Act 04-24 authorized Supplemental Appropriations for the purpose of authorizing expenditures for the Executive Branch for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Administration Policy Board on December 22, 2023.

The District III Representative introduced the following Bill on the 17th day of January, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch Executive Branch for the Fiscal Year ending September 30, 2023.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (December 14, 2023)
Health & Human Services		
Safe Harbor Federal MDH 223-4745 Of FY2024 Grant Funds	$50,500.00	Attachment # 12
Psychiatry MH 222-4425 Of FY2024 Miscellaneous Funds	$2,528,420.00	Attachment # 13
Psychiatry MH 222-4425 Of FY2024 Drink Tax Miscellaneous Revenue Funds	$1,000,000.00	Attachment # 13

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 08-24

(Band Assembly Bill 21-01-08-24)

Introduced to the Band Assembly on this
Seventeenth day of January in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Seventeenth day of January in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: January 18, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 09-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive, and Legislative Branches for the Fiscal Years ending September 30, 2023, and September 30, 2024. This bill has been drafted based on formal documents submitted by the Administration Policy Board on January 17, 2024; and District I Office Manager on January 19, 2024.

The District I Representative introduced the following Bill on the 24th day of January, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive, and Legislative Branches the Fiscal Years ending September 30, 2023, and September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	Supplemental	Cross-Reference
Executive Branch		Administration Policy Board Minutes (January 11, 2024)
Health & Human Services		
Title IV-E Subpart 2 224-4870 Of FY2024 Grant Funds	$47.00	Attachment # 30
Shelter CAP 223-4950 Of FY2024 Grant Funds	$773,074.00	Attachment # 31
Administration		
Information Systems 107-2250 Of FY2024 Grant Funds	$189,324.36	Attachment # 32
Natural Resources		
Fire Preparedness 251-5490 Of FY2024 Grant Funds	$121,923.00	Attachment # 33
USDA-NRCS 251-NEW Of FY2024 Grant Funds	$227,925.49	Attachment # 34

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2023 Natural Resources: a budget transfer from THPO to the EPA Band Share budget for end of year budget clean-up as submitted (Attachment # 9):

THPO 251-5460	($3,852.23) to
EPA Band Share 251-5760	$3,852.23

FY2023 Natural Resources: a budget transfer from Wildland to the Wildlife budget for end of year budget clean-up as submitted (Attachment # 10):

Wildland 251-5530	($15,252.47) to
Wildlife 251-5540	$15,252.47

FY2023 Natural Resources: a budget transfer from Land Management to the Fire Prep budget for end of year budget clean-up as submitted (Attachment # 11):

Land Management 251-5950	($67,158.73) to
Fire Prep 251-5490	$67,158.73

FY2023 Health & Human Services: a budget transfer from Emergency Assistance to the Elder Energy budget for end of year budget clean-up as submitted (Attachment # 12):

Emergency Assistance 223-4160	($63,093.55) to
Elder Energy 223-4590	$63,093.55

FY2023 Health & Human Services: a budget transfer from Med Providers to the NIS Optometry budget for end of year budget clean-up as submitted (Attachment # 13):

Med Providers 221-4170	($63,327.81) to
NIS Optometry 221-4260	$63,327.81

FY2023 Health & Human Services: a budget transfer from Med Providers to the Quality and Compliance budget for end of year budget clean-up as submitted (Attachment # 14):

Med Providers 221-4170	($7,626.36) to
Quality and Compliance 221-4275	$7,626.36

FY2023 Health & Human Services: a budget transfer from Pharmacy to the NIS Admin budget for end of year budget clean-up as submitted (Attachment # 15):

Pharmacy 221-4240	($2,737.48) to
NIS Admin 221-4230	$2,737.48

FY2023 Health & Human Services: a budget transfer from Pharmacy to the NIS Overhead budget for end of year budget clean-up as submitted (Attachment # 16):

Pharmacy 221-4240	($47,352.08) to
NIS Overhead 221-4190	$47,352.08

FY2023 Health & Human Services: a budget transfer from Med Providers to the ALU O & M budget for end of year budget clean-up as submitted (Attachment # 17):

Pharmacy 221-4240	($121,752.77) to
NIS Overhead 221-4190	$121,752.77

FY2023 Health & Human Services: a budget transfer from Pharmacy to the HHS Commissioner budget for end of year budget clean-up as submitted (Attachment # 18):

Pharmacy 221-4240	($27,816.94) to
HHS Commissioner 226-4110	$27,816.94

FY2023 Health & Human Services: a budget transfer from Elder Coordinator to the Social Services Net Revenue budget for end of year budget clean-up as submitted (Attachment # 19):

Elder Coordinator 223-4450	($83,006.47) to
Social Services Net Revenue 224-4840	$83,006.47

FY2023 Health & Human Services: a budget transfer from Emergency Assistance to the CSS Director budget for end of year budget clean-up as submitted (Attachment # 20):

Emergency Assistance 223-4160	($3,963.65) to
CSS Director 223-4440	$3,963.65

FY2023 Health & Human Services: a budget transfer from Emergency Assistance to the Social Nutrition budget for end of year budget clean-up as submitted (Attachment # 21):

Emergency Assistance 223-4160	($39,084.82) to
Social Nutrition 223-4490	$39,084.82

FY2023 Health & Human Services: a budget transfer from Public Health to the Assisted Living Unit budget for end of year budget clean-up as submitted (Attachment # 22):

Public Health 225-4400	($88,485.61) to
Assisted Living Unit 225-4115	$88,485.61

FY2023 Health & Human Services: a budget transfer from Mental Health to the Chemical Dependency budget for end of year budget clean-up as submitted (Attachment # 23):

Mental Health 222-4650	($4,566.14) to
Chemical Dependency 222-4620	$4,566.14

FY2023 Education: a budget transfer from Preschool Nutrition to the Scholarships budget for end of year budget clean-up as submitted (Attachment # 24):

Preschool Nutrition 202-3560	($309,872.61) to
Scholarships 204-3140	$309,872.61

FY2023 Education: a budget transfer from DIII Preschool to the Scholarships, Pine Grove, Striving Reader, Nutrition and NASS Transportation budgets for end of year budget clean-up as submitted (Attachment # 25):

DIII Preschool 202-3560	($55,429.65) to
Scholarships 204-3140	$12,701.79; and
Pine Grove 203-3070	$34,408.09; and
Striving Reader 203-3320	$4,619.97; and
Nutrition 203-3330	$2,272.59; and
NASS Transportation 203-3260	$1,427.21

FY2023 Community Development: a budget transfer from Housing Administration to the Transition Housing budget for end of year budget clean-up as submitted (Attachment # 26):

Housing Administration 271-2750	($30,204.93) to
Transition Housing 271-2710	$30,204.93

FY2023 Community Development: a budget transfer from Water/Wastewater to the Roads Department budget for end of year budget clean-up as submitted (Attachment # 27):

Water/Wastewater 104-1300	($46,496.29) to
Roads Department 104-1330	$46,496.29

FY2023 Administration: a budget transfer from NR Labor Pool to the Aanjibimaadizing PL 477 budget for end of year budget clean-up as submitted (Attachment # 28):

NR Labor Pool 281-6100	($36,887.07) to
Aanjibimaadizing PL 477 281-6770	$36,887.07

FY2023 Administration: a budget transfer from NR Youth Employment to the Aanjibimaadizing PL 477 budget for end of year budget clean-up as submitted (Attachment # 28):

NR Youth Employment 281-6240	($29,564.40) to
Aanjibimaadizing PL 477 281-6770	$29,564.40

FY2023 Legislative: a budget revision to move monies within the Legislative – District 1 budget for end of year budget clean-up as submitted (Memo from the District I Representative dated January 8, 2024):

Legislative – District 1 101-1010	$48,072.26 – **Total**

FY2023 Legislative: a budget revision to move monies within the District 1 Community Center budget for end of year budget clean-up as submitted (Memo from the District I Representative dated January 8, 2024):

District 1 Community Center 101-1085	$52,783.87 – **Total**

FY2023 Legislative: a budget revision to move monies within the District 1 Powwow budget for end of year budget clean-up as submitted (Memo from the District I Representative dated January 8, 2024):

District 1 Powwow 101-1070	$32,789.22 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 09-24

(Band Assembly Bill 21-01-09-24)

Introduced to the Band Assembly on this
Twenty-fourth day of January in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-fourth day of January in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: January 25, 2024 Melanie Benjamin

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 10-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2023, and September 30, 2024. This bill has been drafted based on formal documents submitted by the Administration Policy Board on January 31, 2024.

The District II Representative introduced the following Bill on the 7th day of February, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch the Fiscal Years ending September 30, 2023, and September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (January 25, 2024)
Department of Justice – Tribal Police		
Public Safety Aid 104-NEW Of FY2024 Grant Funds	$175,598.00	Attachment # 4
Natural Resources		
Volkswagen Settlement 251-NEW Of FY2024 Grant Funds	$121,923.00	Attachment # 5
Health & Human Services		
Strong Foundations 225-4407 Of FY2024 Grant Funds	$104,945.00	Attachment # 6

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2023 Community Development: a budget transfer from Community Development to Project Planning budget for end of year budget clean-up as submitted (Attachment # 3):

Community Development 104-1200	($12,294.67) to
Project Planning 104-1290	$12,294.67

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 10-24

(Band Assembly Bill 21-01-10-24)

Introduced to the Band Assembly on this
Seventh day of February in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Seventh day of February in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: February 7, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 11-24

An Act Repealing and Replacing to correct the dollar amounts for Natural Resources and Community Development. Act 10-24 authorized a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2023, and September 30, 2024. This bill has been drafted based on formal documents submitted by the Administration Policy Board on January 31, 2024.

The District II Representative introduced the following Bill on the 14th day of February, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch the Fiscal Years ending September 30, 2023, and September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (January 25, 2024)
Department of Justice – Tribal Police		
Public Safety Aid 104-NEW Of FY2024 Grant Funds	$175,598.00	Attachment # 4
Natural Resources		
Volkswagen Settlement 251-NEW Of FY2024 Grant Funds	$38,212.92	Attachment # 5
Health & Human Services		
Strong Foundations 225-4407 Of FY2024 Grant Funds	$104,945.00	Attachment # 6

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2023 Community Development: a budget transfer from Community Development to Project Planning budget for end of year budget clean-up as submitted (Attachment # 3):

Community Development 104-1200	($21,294.67) to
Project Planning 104-1290	$21,294.67

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 11-24

(Band Assembly Bill 21-01-11-24)

Introduced to the Band Assembly on this
Fourteenth day of February in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fourteenth day of February in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: February 15, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 12-24

An Act authorizing a supplemental appropriation for the purpose of authorizing expenditures for Mille Lacs Corporate Ventures for the Fiscal Year Ending September 30, 2024.This bill has been drafted based on formal documents submitted by the Commissioner of Corporate Affairs on February 8, 2024.

The District III Representative introduced the following Bill on the 15th day of February, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for Mille Lacs Corporate Ventures for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Mille Lacs Corporate Ventures		Formal Request (dated February 14, 2024)
Bank of America Interest Of FY2024 Long-Term Investment Income Funds	$2,957,738.00	

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 12-24

(Band Assembly Bill 21-01-12-24)

Introduced to the Band Assembly on this
Fifteenth day of February in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fifteenth day of February in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: February 15, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 13-24

An Act enacting a Cannabis Code as a new chapter within Title 15 – Independent Agencies. This bill will create a Department of Cannabis Regulation, an independent entity, which will be administered by a five-person board. The Department will oversee issuance of cannabis licenses for cultivation, manufacturing, wholesale, retail, and testing within the Band's sovereign territory. The board will hear license appeals and also approve contracts and create regulations consistent with the Code. The Department will have an executive director and staff to carry out the necessary duties to effectuate the purpose of this Code. The Code also allows for home cultivation of up to eight cannabis plants. This bill also amends Title 23 to update outdated citations to Minnesota law and update possession of cannabis within a vehicle to mirror Minnesota law.

In the creation and drafting of this bill, the legislative branch held several workshops and two public comment periods. The first public comment period, the draft bill was posted for 22 days, and the bill was discussed in every community. The legislative branch received over 50 comments with a majority of comments being positive. The second public comment period, the draft bill was posted for 13 days. The legislative branch received two comments. This bill is intended to encourage not only business opportunities for Mille Lacs Corporate Ventures but also Band members, to encourage responsible use of cannabis within the communities, to support drug abuse prevention efforts through education, prevention, and treatment for the community, to provide smoke-free and clean air places for the community, and to continue providing a drug-free workplace for government-owned and government-operated buildings.

This bill reflects the compromise between the Chief Executive and the Band Assembly on vetoed Act 03-24.

The District II Representative introduced the following Bill on the 15th day of February, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Enacting a Cannabis Code.

Section

1. **Purpose.**
2. **Definitions.**
3. **Department of Cannabis Regulation.**
4. **Department of Cannabis Regulation Board.**
5. **Executive Director of the Department.**
6. **Seed-to-Sale Electronic Tracking System.**
7. **Approval of Cannabis Flower and Products.**
8. **Agricultural and Food Safety Practices.**

9. **Applicable Environmental Standards.**
10. **License Issuance; Transfers; Adjustments; Appeals.**
11. **Inspection and License Violation.**
12. **Cannabis Business; General Operational Requirements and Prohibitions.**
13. **Cultivation.**
14. **Manufacturing.**
15. **Retail.**
16. **Wholesale; Transportation; Delivery.**
17. **Testing.**
18. **Packaging and Labeling.**
19. **Advertising.**
20. **Limitation on Consumption; Locations of Consumption.**
21. **Ownership and Use of Mille Lacs Corporate Ventures' Revenues.**
22. **Personal Adult Use of Cannabis.**
23. **Violations.**
24. **Provisional License for Mille Lacs Corporate Ventures.**
25. **Medical Marijuana.**

§ 1. Purpose.

The purposes of this statute are:

(a) to promote the health, safety, and security of the Mille Lacs Band of Ojibwe and its members, protect public health and safety, and to promote safe and responsible cannabis business activities in the Band's sovereign territory.

(b) to foster Band economic development in the cannabis industry by:

(1) meeting the legitimate market demand for cannabis and cannabis products;

(2) promoting a local industry for cannabis and cannabis products;

(3) supporting and prioritizing the growth of the Band's communities; and

(4) eliminating the illicit market for cannabis and cannabis products.

(c) to provide regulation of cannabis business activities by creating a Tribal regulatory agency that will regulate, license, monitor and tax the cultivation, manufacturing, testing, distribution, and sale of cannabis and cannabis products in the Band's sovereign territory, and enforce all applicable regulations.

(d) to promote and protect Band sovereignty.

(e) to ensure continued compliance with Band-awarded federal and state grants.

§ 2. Definitions.

The following terms are defined for the purposes of this chapter:

(a) **"Administrative order"** means a directive issued by the Department of Cannabis Regulation.

(b) **"Adult-use cannabinoid product"** means a cannabinoid product that is approved for sale by the Department or is substantially similar to a product approved by the Department. Adult-use cannabinoid product includes edible cannabinoid products but does not include medical cannabinoid products.

(c) **"Adult-use cannabinoid concentrate"** means cannabis concentrate that is approved for sale by the Department or is substantially similar to a product approved by the Department. Adult-use cannabis concentrate does not include artificially derived cannabinoids.

(d) **"Adult-use cannabis flower"** means a cannabis flower that is approved for sale by the Department or is substantially similar to a product approved by the Department. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer products.

(e) **"Advertisement"** means any written or oral statement, illustration, or depiction that is intended to promote sales of cannabis flower, cannabinoid products, lower potency edible products, hemp-derived consumer products, or sales at a specific cannabis business and includes any newspaper, radio, internet and electronic media, or television promotion; the distribution of fliers and circulars; and the display of window and interior signs in a cannabis business.

(f) **"Artificially derived cannabinoid"** means a cannabinoid extracted from a cannabis plant, cannabis flower, hemp plant, or hemp plant parts with a chemical makeup that is changed after extraction to create a different cannabinoid or other chemical compound by applying a catalyst other than heat or light. Artificially derived cannabinoid includes but is not limited to any tetrahydrocannabinol created from cannabidiol but does not include cannabis concentrate, cannabinoid products, or hemp-derived consumer products.

(g) **"Band Assembly"** means the Band's Legislative Branch, established pursuant to 3 MLBS § 2, and comprised of the duly elected Speaker of the Assembly and three (3) District Representatives.

(h) **"Batch"** means

(1) a specific quantity of cannabis plants that are cultivated from the same seed or plant stock, are cultivated together, are intended to be harvested together, and receive an identical propagation and cultivation treatment;

(2) a specific quantity of cannabis flower that is harvested together; is uniform and intended to meet specifications for identity, strength, purity, and composition; and receives identical sorting, drying, curing, and storage treatment; or

(3) a specific quantity of a specific cannabinoid product, edible cannabinoid product, artificially derived cannabinoid, or hemp-derived consumer product that is manufactured at the same time and using the same methods, equipment, and ingredients that is uniform and intended to meet specifications for identity, strength, purity, and composition, and that is manufactured, packaged, and labeled according to a single batch production record executed and documented during the same cycle of manufacture and produced by a continuous process.

(i) **"Batch number"** means a unique numeric or alphanumeric identifier assigned to a batch of cannabis flower or a batch of cannabinoid product, edible cannabinoid product, artificially derived cannabinoid, or hemp-derived consumer product.

(j) **"Board"** means the Department of Cannabis Regulation Board pursuant to this chapter.

(k) **"Cannabinoid"** means any of the chemical constituents of hemp plants or cannabis plants that are naturally occurring, biologically active, and act on the cannabinoid receptors of the brain. Cannabinoid includes but is not limited to tetrahydrocannabinol and cannabidiol.

(l) **"Cannabinoid extraction"** means the process of extracting cannabis concentrate from cannabis plants or cannabis flower using water, lipids, gases, solvents, or other chemicals or chemical processes, but does not include the process of extracting concentrate from hemp plants or hemp plant parts or the process of creating artificially derived cannabinoids.

(m) **"Cannabinoid product"** means cannabis product, a hemp-derived consumer product, or lower-potency hemp edible.

(n) **"Cannabinoid profile"** means the amounts of each cannabinoid that the Department requires to be identified in testing and labeling, including but not limited to delta-9 tetrahydrocannabinol, tetrahydrocannabinolic acid, cannabidiol, and cannabidiolic acid in cannabis flower, a cannabinoid product, a batch of artificially derived cannabinoid, or a hemp-derived consumer product, expressed as percentages measured by weight and, in the case of cannabinoid products and hemp-derived consumer products, expressed as milligrams in each serving and package.

(o) **"Cannabis business"** means

(1) cannabis cultivator;

(2) cannabis manufacturer;

(3) cannabis retailer;

(4) cannabis wholesaler; or

(5) cannabis testing facility.

(p) **"Cannabis concentrate"**

(1) means:

(i) the extracts and resins of a cannabis plant or cannabis flower;

(ii) the extracts or resins of a cannabis plant or cannabis flower that are refined to increase the presence of targeted cannabinoids; or

(iii) a product that is produced by refining extracts or resins of a cannabis plant or cannabis flower and is intended to be consumed by combustion or vaporization of the product and inhalation of smoke, aerosol, or vapor from the product; and

(2) does not mean:

(i) industrial hemp, artificially derived cannabinoids, or hemp-derived consumer products.

(q) **"Cannabis flower"** means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, industrial hemp, or hemp-derived consumer products.

(r) **"Cannabis license"** means a license, as listed in § 10(a)(2), issued by the Department of Cannabis Regulation.

(s) **"Cannabis plant"** means all parts of the plant of the genus Cannabis that is growing or has not been harvested and has a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent on a dry weight basis.

(t) **"Cannabis product"**

(1) means any of the following:

(i) cannabis concentrate;

(ii) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or

(iii) any other product that contains cannabis concentrate; or

(iv) a product infused with artificially derived cannabinoids; and

(2) includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products; and

(3) does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.

(u) **"Cannabis seed"** means the viable seed of the plant of the genus Cannabis that is reasonably expected to grow into a cannabis plant. Cannabis seed does not include hemp seed.

(v) **"Cannabis worker"** means any individual employed by a cannabis business and any individual who is a contractor of a cannabis business whose scope of work involves

the handling of cannabis plants, cannabis flower, artificially derived cannabinoids, or cannabinoid products.

(w) **"Cultivation"** means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.

(x) **"Edible cannabinoid product"** means any product that is intended to be eaten or consumed as a beverage by humans; contains a cannabinoid, including an artificially derived cannabinoid, in combination with food ingredients; is not a drug; and is a type of product approved for sale by the Department, or is substantially similar to a product approved by the Department including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods. Edible cannabinoid product includes lower potency edible products.

(y) **"Hemp-derived consumer products"**

(1) means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:

(i) contains or consists of hemp plant parts; or

(ii) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

(2) does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

(z) **"Hemp plant"** means all parts of the plant of the genus Cannabis that is growing or has not been harvested and has a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis.

(aa) **"Hemp plant parts"** means any part of the harvested hemp plant, including the flower, bud, leaves, stems, and stalk, but does not include derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers that are separated from the plant. Hemp plant parts does not include hemp fiber products, hemp grain, or hemp seed.

(bb) **"Hemp seed"** means the viable seed of the plant of the genus Cannabis that is intended to be planted and is reasonably expected to grow into a hemp plant. Hemp seed does not include cannabis seed or hemp grain.

(cc) **"Industrial hemp"** means the plant Cannabis sativa L. and any part of the plant, whether growing or not, including the plant's seeds, and all the plant's derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

(dd) **"Intoxicating cannabinoid"** means a cannabinoid, including an artificially derived cannabinoid, that when introduced into the human body impairs the central nervous system or impairs the human audio, visual, or mental processes. Intoxicating cannabinoid includes but is not limited to any tetrahydrocannabinol.

(ee) "**License**" means permission to operate a specific cannabis business or to be employed as a cannabis worker, issued by the Department of Cannabis Regulation pursuant to this Code and the Department's regulations.

(ff) **"Mille Lacs Band of Ojibwe Department of Cannabis Regulation"** or **"Department"** means the Department created by this Code, as described in §3.

(gg) **"Nonintoxicating cannabinoid"** means a cannabinoid that when introduced into the human body does not impair the central nervous system and does not impair the human audio, visual, or mental processes. Nonintoxicating cannabinoid includes but is not limited to cannabidiol but does not include any artificially derived cannabinoid.

(hh) **"Outdoor advertisement"** means an advertisement that is located outdoors or can be seen or heard by an individual who is outdoors and includes billboard; advertisements on benches; advertisements at transit stations or transit shelters; advertisements on the exterior or interior of buses, taxis, light rail transit, or business vehicles; and print signs that are placed or located on the exterior property of a cannabis business.

(ii) **"Seed-to-sale electronic tracking system"** means the system for integrated cannabis tracking, inventory, and verification established or adopted by the Department.

(jj) **"Sovereign territory"** means the Band's Indian country as defined in 18 U.S.C. § 1151. It includes "Tribally regulated land" as defined in Minn. Stat. § 3.9228 subd.1(i).

(kk) **"Tetrahydrocannabinol"** or **"THC"** means delta-9-tetrahydrocannabinol, the main psychoactive ingredient in cannabis.

(ll) **"Volatile solvent"** means any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Volatile solvent includes but is not limited to butane, hexane, and propane.

§ 3. Department of Cannabis Regulation.

(a) **General.** The Department of Cannabis Regulation shall be an independent entity, Tribal regulatory agency under the administrative control of its Board.

(b) **Powers and duties.** The Department shall be responsible for:

(1) exercising regulatory authority over cannabis businesses within the Band's sovereign territory to ensure compliance with applicable law, including this Code and any future policies and regulations adopted by the Department;

(2) developing, maintaining and enforcing an organized system of cannabis regulation within the Band's sovereign territory, including

(i) promulgating regulations to implement this Code;

(ii) issuing and administering licenses to cannabis businesses;

(iii) monitoring cannabis business licensees' employees, employee names, addresses, dates of birth, and photo-copies of driver's license or other government-issued identification demonstrating each individual is over 21 years of age shall be shared with the Department and recorded;

(iv) monitoring, inspecting, and investigating cannabis businesses for compliance with all applicable laws and license terms; and

(v) issuing administrative orders for noncompliance and violations and overseeing corrective and remedial action; and

(3) performing functions necessary to carry out this Code.

(c) **Operational authority.** The Department shall not exercise operational authority over any cannabis business. Management and operational authority of any Band-owned cannabis business shall be vested in Mille Lacs Corporate Ventures or a separately chartered corporation under 16 MLBS § 106(d).

(e) **Regulations**. The Department shall have the power and duty to develop, adopt and promulgate regulations implementing this Code, which shall:

(i) establish a cannabis regulatory system to protect, maintain, and improve the health and safety of the community, including cannabis workers;

(ii) establish rules for preventing unauthorized access to cannabis and cannabis products by individuals under 21 years of age;

(iii) establish standards for product testing, packaging and labeling, including testing protocols, information and marks to be included on labels and any other information or notices required of licensees;

(iv) establish an online process for submitting cannabis business license applications;

(v) establish a process for accepting and adjudicating cannabis licenses, including criminal background check requirements if deemed necessary by the Department and whether any criminal offense disqualifies a person or entity from holding a license, and an administrative reconsideration or appeal process;

(vi) establish categories of monitoring and reporting data required to be collected from Band license holders and submitted via a seed-to-sale tracking system or other method;

(vii) establish a process for inspecting and approving types of cannabis flower and cannabinoid products eligible for retail sale within the Band's sovereign territory;

(viii) establish agricultural and food safety practices as required by this Code;

(ix) establish requirements for odor control by licensees as required by this Code;

(x) establish acceptable disposal methods for cannabis that cannot be sold under § 12(g) of this Code;

(xi) establish a process for approving the use of certain pesticides fertilizers, soil amendments, plant amendments, and other inputs and methods to cultivate cannabis;

(xii) establish standards and a review process for outdoor advertisements, non-cannabis merchandise sales, and other marketing activities;

(xiii) establish allowable methods of extraction, concentration, and conversion, and volatile chemicals and catalysts, that cannabis manufacturers may use;

(xiv) establish standards for chemicals or compounds that cannabis manufactures may add to cannabis concentrate or artificially derived cannabinoids; and

(xv) establish procedures for ensuring license holders' compliance with Band law and regulations, license terms, any compacts with the State of Minnesota and other applicable laws and policies; and

(xvi) any other matter within the scope of this Code.

(f) **Rulemaking process.**

(1) The Department shall promulgate the regulations authorized by § 3(e) with or without a hearing according to the notice and comment process specified herein.

(i) **Notice of intent to adopt.** The Department shall give notice of its intent to adopt a regulation related to this Code by posting a copy of the notice in the Band Government Center and on the Band's website, and by electronically delivering a copy of the notice to the Chief Executive, the Speaker of the Band Assembly, the District Representatives, the Solicitor General, the Commissioner of Administration, the Commissioner of Corporate Affairs, and the manager of any cannabis business licensed by the Band. The notice shall include a copy of the proposed regulation and a description of the nature and effect of the proposed regulation. In addition, the notice shall include the following statements:

(A) comments may be submitted on the proposed regulation no later than 30 calendar days from the date of the notice; and

(B) the proposed regulation may be modified if supported by the data and views submitted.

(ii) **Review.** The Department shall review all comments received during the comment period, shall make such changes to the proposed regulation as it deems reasonable and appropriate, and shall approve the regulation by resolution of the Board. Proposed regulations shall be posted on the Band's website during the comment period.

(iii) **Adoption; notice of adoption.**

(A) The Department shall, by official action, set the effective date of the regulation and publish and post copies of a notice of adoption of the regulation in the same manner as for the notice of intent to adopt the regulation.

(B) The notice of adoption shall summarize the final regulation and the changes to the proposed regulation, state the effective date, and announce that free copies of the regulation are available from the Department.

(C) Copies of the notice and the final regulation shall be electronically delivered to all persons who were sent a copy of the notice of intent to adopt.

(D) All final regulations shall be available on the Band's website.

(2) **Initial cannabis regulations**. The Department shall adopt a set of Initial Cannabis Regulations meeting the requirements of § 3(e) and this Code within 180 calendar days after the first meeting of all the members of the first Board.

(3) **Annulment**. Any cannabis regulation may be annulled by statute.

(g) **Monitoring and investigation.** The Department shall have the power and duty to monitor and investigate all cannabis businesses with the Band's sovereign territory or licensed by the Band for compliance with Band law and regulations, license terms, any compacts with the State of Minnesota and other applicable laws and policies.

(h) **Access.** The Department shall have access to all books, files, records, reports, and other data regarding the operation of all cannabis businesses, whether in written or electronic form, as it deems necessary or desirable to carry out its regulatory duties.

§ 4. Department of Cannabis Regulation Board.

(a) **Appointment process.** Each member shall be appointed using the following process.

(1) The Chief Executive shall nominate two (2) individuals and submit their names to the Secretary-Treasurer. Within ten (10) calendar days after receipt of the nominations and documents as listed in paragraph (7) by the Secretary-Treasurer, the Secretary-Treasurer shall ratify one (1) out of the two (2) nominees to be a member of the Board. Such member shall serve until September 1, 2024. Any subsequent appointment, other than to fill a vacancy that occurs prior to the end of the term, shall be for four (4) years.

(2) Each District Representative shall nominate two (2) individuals and submit their names to the Chief Executive. Within ten (10) calendar days after receipt of the nominations and documents as listed in paragraph (7) by the Chief Executive, the Chief Executive shall ratify one (1) of the two (2) nominees to be a member of the Board. Such members shall serve until September 1, 2026. Any subsequent appointment, other than to fill a vacancy that occurs prior to the end of a term, shall be for four (4) years.

(3) The Secretary-Treasurer shall nominate two (2) individuals and submit their names to the Chief Executive. Within ten (10) calendar days after receipt of the nominations and documents as listed in paragraph (7) by the Chief Executive, the Chief Executive shall ratify one (1) of the two (2) nominees to be a member of the Board. Such member shall serve until September 1, 2024. Any subsequent appointment, other than to fill a vacancy that occurs prior to the end of a term, shall be for four (4) years.

(4) If the Chief Executive or the Secretary-Treasurer do not ratify one from any of the nominations sent to them within the time prescribed, then the Band Assembly shall select such member by majority vote.

(5) If any elected official does not submit a nomination within 30 calendar days after a vacancy has occurred, then the Band Assembly shall nominate two (2) individuals by majority vote and submit their names and documents as listed in paragraph (7) to the Chief Executive for ratification to the Board.

(6) No member shall take office until swearing to the oath of office pursuant to Title 2.

(7) The ratifying elected official shall only consider a nominee upon receipt of a complete criminal background investigation, a nomination letter signed by the elected official nominating, a copy of the nominee's resume, and the nominee's contact information.

(b) **Board officers.**

(1) **Officers.** The Board shall have a chairperson, vice-chairperson, and secretary.

(2) **Selection.**

(i) **Chairperson, vice-chairperson.** The members of the Board shall select from among themselves, by majority vote, a chairperson and a vice-chairperson. The chairperson and vice-chairperson shall serve for a period of no longer than two (2) years, unless re-appointed by the Board.

(ii) **Secretary.** The Board may select a member or an employee of the Department to act as secretary of the Board. The secretary shall serve for a period of no longer than two (2) years, unless re-appointed by the Board. An employee acting as secretary at the request of the Board is not a Board member and has no powers of a member.

(3) **Removal of members.** Members may be removed for any reason by a super-majority vote of four (4) out of five (5) members of the Joint Session of the Band Assembly. The determination of the Joint Session is final and un-appealable. A vacancy caused by removal or for any other reason shall be filled in a timely manner pursuant to § 4(a) of this Code.

(c) **Vacancies.**

(1) The chairperson of the Board shall notify the Band Assembly and the Chief Executive of any vacancy on the Board at least 30 calendar days prior to the end of a term, or, in circumstances other than the end of a term, immediately upon the knowledge that a vacancy will occur.

(2) If there is a vacancy on the Board, then the vacancy shall be filled pursuant to § 4(a) of this Code.

(3) Any member, including the chairperson, appointed to fill a vacancy shall serve for the remainder of the term left vacant; however, any member may be re-appointed during this time period pursuant § 4(a) of this Code.

(d) **Qualifications of members.** Board members must be chosen on the basis of relevant training, experience, and such other qualifications considered appropriate.

~~(4)~~(1) At minimum, all members must be:

(i) 21 years of age or older;

~~(5)~~(2) members must not:

(i) be a Band elected official or commissioner;

(ii) be employed by, or hold any office in, have any ownership or financial stake in, or have any business relation with, any cannabis business within the State of Minnesota;

(iii) be closely related to any owner or manager of a cannabis business licensed by the Department or seeking licensure from the Department;

(iv) be employed by the Mille Lacs Corporate Ventures;

(v) have been convicted of a felony, non-driving related gross misdemeanor, or driving related gross misdemeanor that includes death, careless driving, or bodily harm, within seven (7) years of the date of the final disposition;

(vi) have been convicted of a felony or gross misdemeanor involving the following offenses:

(A) criminal sexual conduct convictions, 1st – 5th degree, including but not limited to rape, attempted rape, and criminal sexual conduct with a juvenile;

(B) fraud;

(C) embezzlement;

(D) theft; or

(E) misrepresentation; or

(vii) have a felony, non-driving related gross misdemeanor, or driving related gross misdemeanor that includes death, careless driving, or bodily harm charge pending. Active stays of adjudication for felonies and gross misdemeanors constitute pending charges.

~~(6)~~(3) **Criminal background investigation.** Any nomination for the Board shall be subject to a criminal background investigation to be conducted by the Office of the Solicitor General. All criminal background investigations shall be performed upon the request of the elected official nominating. The Office of the Solicitor General shall provide the Chief Executive, Secretary-Treasurer, and District Representatives with the results of the criminal background investigation within 14 calendar days. The nomination shall be considered fully received when the elected officials receive the complete and unabridged results of the criminal background investigation from the Solicitor General.

~~(7)~~(4) **Current Board members.**

(i) A Board member shall be terminated from the Board if charged with a felony, non-driving related gross misdemeanor, or driving related gross misdemeanor that includes death, careless driving, or bodily harm, regardless of the outcome of the criminal proceedings.

(ii) All Board members shall be subject to an annual criminal background investigation. All criminal background investigations shall be performed upon the request of the Executive Director to the Office of the Solicitor General. The Office of the Solicitor General shall provide the Executive Director with the complete and unabridged results of the criminal background investigation, which shall include any pending charges, within 14 calendar days.

~~(8)~~(5) **Duty to report.** Board members shall have a duty to report, in writing, to the Executive Director any pending charge of a felony or gross misdemeanor within five (5) calendar days of becoming aware of the charge. Failure to report the charge constitutes grounds for termination from the Board.

~~(9)~~(6) **Conflict of interest.** If a Board member has a potential conflict of interest, the Board member shall announce during the meeting the nature of the potential conflict prior to voting on the issue giving rise to the potential conflict. A Board member shall abstain from a vote when he or she is in a position to influence a decision that may result in a personal

gain for herself or himself or her or his immediate family. A conflict of interest shall be recorded in the meeting minutes.

~~(d)~~(e) **Duties of the board.** The Board shall have the following duties:

(1) to oversee the Department's cannabis licensing activities and hear appeals of Department licensing and enforcement/compliance actions;

(2) examining effectiveness of the Band's cannabis laws and regulations and making recommendations to the Department regarding regulatory changes and to Band Assembly regarding statutory changes;

(3) reviewing developments in the cannabis industry, hemp consumer industry, and medical cannabis industry;

(4) reviewing developments in the study of cannabis flower, cannabis products, cannabinoid products, artificially derived cannabinoids, edibles cannabinoid products, and hemp-derived consumer products;

(5) to approve the Department's regulations, policies, and budget;

(6) to enter into contracts to provide necessary services and supplies to the Department;

(7) to follow compacts or other agreements entered into with the state or federal government in furtherance of this Code; and

(8) to adopt bylaws governing the conduct of the Board, Board meetings and the exercise of Board duties.

~~(e)~~(f) **Compensation.** Members, including the chairperson, shall be compensated with four hundred dollars ($400.00) per meeting, not to exceed eight hundred dollars ($800.00) in one month, except that in the case of a demonstrated emergency, the chairperson may petition the Secretary-Treasurer for compensation for additional meetings. Mileage and other travel expenses will be compensated on the same terms and conditions as apply to Senior Executive Staff appointees as provided by Band law.

~~(f)~~(g) **Meetings.**

(1) **Regular meetings.** Regular meetings of the Board shall be held at least monthly and upon written notice. The dates and forms of regular meetings shall be set by official action of the Board.

(2) **Special meetings.** Special meetings of the Board may be called by the chairperson with a minimum of forty-eight (48) hours written notice to the Board members, by the executive director with a minimum of forty-eight (48) hours written notice to the chairperson, or by a majority vote of the Board with forty-eight (48) hours written notice to the chairperson.

(3) **Other.** Either regular or special meetings may be called by petition of a majority of a quorum of the Board members other than the chairperson upon forty-eight (48) hours written notice to the chairperson.

(4) **Alternative meeting arrangements.** Regular or special meetings may be conducted by telephone, video or web conference, or similar means. The chairperson must provide the Board members with forty-eight (48) hours written notice prior to convening any meeting under this subsection.

(5) **Consent presumed.** A member's participation in a meeting described herein without explicit objection will constitute consent to the manner in which such a meeting is conducted.

~~(g)~~(h) **Quorum.** Three (3) Board members shall constitute a quorum.

~~(h)~~(i) **Voting.** All actions of the Board shall be taken by majority vote.

(1) The chairperson shall vote only in the following circumstances:

(i) to break a tie; or

(ii) if necessary, to constitute a quorum in the absence of other members.

~~(i)~~(j) **Training.** Training for Board members is highly encouraged. If members are not Band government employees and are required to be absent from their employment to attend mandatory training as determined by the Board, then members shall be compensated at their previously documented hourly rates of pay for each hour that they are in attendance at such training plus mileage and other travel expenses as stated in subsection (f) above. If members are Band government employees, then absence from employment will not be deducted from their accrued annual leave and they will be paid as if they were at work plus expenses as stated in subsection (f) above.

§ 5. Executive Director of the Department.

(a) Executive director.

(1) The Board shall hire an executive director who has:

(i) relevant experience and training in management and regulatory enforcement of sufficient scope, depth, and relevancy to enable her or him to direct the work of the Department;

(ii) high moral character; and

(iii) the minimum qualifications for Board members as listed in § 4(d)(1), (2).

(2) The Band's Mille Lacs Band of Ojibwe Personnel Policy and Procedures shall apply to the executive director.

~~(a)~~(b) **Duties of the executive director.** The executive director shall have the following duties:

(3) to administer day-to-day functions of the Department;

(4) to obtain office space and supplies, and hire administrative staff, compliance staff, and legal counsel, independent of the Solicitor General, necessary to carry out the Department's official functions, policies, activities, and objectives;

(5) to prepare and submit to the Band Assembly a proposed budget for the Department, which must be approved by the Board;

(6) to request the Office of the Solicitor General perform annual background investigations of the Board members;

(7) to develop regulations, subject to approval and promulgation by the Board, exercising the Department's powers and duties under this Code;

(8) to review environmental protection enforcement actions and nuisance complaints;

(9) to recommend changes to the Board regarding Department policies and regulations;

(10) to attend all meetings of the Board as a non-voting member;

(11) to provide administrative support to the Board;

(12) at the direction of the Board, the executive director may enter into interagency agreements with the Band's Department of Education, Department of Health and Human Services, or any other agency of the Mille

Lacs Band to obtain material and personnel support necessary to carry out the Board's mandates, policies, activities and objectives;

(13) to perform other duties assigned by the Board;

(14) to give an annual report to the Band Assembly by September 30, 2025, and each year by September 30 thereafter, which shall include:

(i) how many cannabis business licenses have been approved, revoked, suspended, or denied and how many appeals have been filed with Board;

(ii) a coordinated education program to address and raise public awareness about the top three adverse health effects, as determined by the Band's Commissioner of Health and Human Services, associated with the use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products by individuals under 21 years of age;

(iii) a coordinated education program to educate pregnant individuals, breastfeeding individuals, and individuals who may become pregnant on the adverse health effects of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products;

(iv) training, technical assistance, and educational materials for home visiting programs and child welfare workers regarding safe and unsafe use of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products in homes with infants and young children;

(v) a coordinated education program to educate middle school and high school students on the health effects on children and adolescents of the use of cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other intoxicating or controlled substances;

(vi) any environmental protection violations or nuisance allegations made against licensed cannabis businesses during the preceding year and whether current Band environmental standards for water and air quality and solid waste disposal are adequate to protect human and environmental health, as determined by the Commissioner of Natural Resources;

(vii) proposed legislative changes, including but not limited to recommendations to streamline licensing systems and related administrative processes, as recommended by the Board; and

(viii) any other pertinent information as determined by the Board or requested by the Band Assembly.

~~(b)~~(c) **Removal; suspension.** The executive director may be removed for good cause by a super-majority vote of four (4) out of five (5) of the Board members. In addition, if the executive director is charged with a felony in any jurisdiction, the Board shall immediately suspend the executive director with or without pay until the charges have been resolved.

(d) **Vacancy.** If there is an executive director vacancy for any reason, then the Board shall immediately appoint an interim director.

§ 6. Seed-to-Sale Electronic Tracking System.

(a) Each cannabis business or worker who has been issued a Band license shall utilize the Band's online seed-to-sale electronic tracking system utilized for plant tags, product identification, and chain of custody in order to track cannabis and cannabis products through cultivation, manufacturing, distribution and sale.

(b) The Department shall contract with an outside vendor to establish an online seed-to-sale electronic tracking system for integrated cannabis tracking, inventory management, and verification from seed to disposal or sale to eligible customers.

(c) The online seed-to-sale electronic tracking system must allow licensed cannabis businesses to submit monitoring data to the department for reporting purposes as required by regulation.

§ 7. Approval of Cannabis Flower and Products.

(a) **General.** The Department shall inspect and approve types of cannabis flower and cannabinoid products eligible for retail sale.

(b) **Tetrahydrocannabinol limits.** Unless specified within a compact with the State of Minnesota, the Department shall determine reasonable limits on the amount of tetrahydrocannabinol that products contain.

(c) **Products out of compliance.** The Department shall deem any cannabinoid products out of compliance, and thus prohibited from retail sale, that:

(1) appear to be a lollipop or ice cream;

(2) appear to be the likeness, or contains characteristics of, a real or fictional person, animal, or fruit;

(3) contains a synthetic cannabinoid;

(4) if the product is an edible product, contains an ingredient other than a cannabinoid that is not approved by the United States Food and Drug Administration for use of food; or

(5) is designed to appeal to individuals under 21 years of age.

(d) **Products in compliance.** The following product formats may be made available for retail sale:

(1) raw cannabis flower;

(2) cannabis pre-rolls;

(3) cannabis concentrates, including products intended for combustion or vaporization;

(4) cannabis topicals;

(5) cannabis tinctures and/or oral products;

(6) cannabis edibles; and

(7) any another format as approved by the Department by regulation.

§ 8. Agricultural and Food Safety Practices.

(a) **Plant propagation standards.** The Department shall establish testing and labeling requirements for the methods used to grow new cannabis plants, including but not

limited to growth from seed, clone, cutting, or tissue culture. The requirements must prohibit the cultivation of cannabis plants derived from genetic engineering.

(b) **Agricultural best practices.**

(1) The department shall establish best practices for:

(i) the cultivation and preparation of cannabis plants; and

(ii) the use of pesticides, fertilizers, soil amendments, and plant amendments in relation to growing cannabis plants.

(c) **Edible cannabinoid product handling.**

(1) The department shall establish:

(i) best practices for safe food handling procedures to ensure the health and safety of the public; and

(ii) finished product packaging and storage standards to guarantee the integrity of the product.

(2) An edible cannabinoid product must not be considered adulterated solely because the product contains tetrahydrocannabinol, cannabis concentrate, or any other materials extracted or derived from a cannabis plant or flower.

(3) All edible cannabinoid product handling and manufacturing must be conducted in a safe, sanitary environment that is separate from a premises where food is manufactured.

(4) Licensed manufacturers must establish and maintain standard operating procedures that demonstrate policies and employee training on clean room standards in locations where cannabinoid products are being produced.

§ 9. Applicable Environmental Standards.

(a) **General.** Cannabis businesses within the Band's sovereign territory shall be subject to the environmental protection standards and permitting requirements established by the Band's Department of Natural Resources, including Title 11 and all applicable Band laws, policies, and regulations.

(b) **Reporting.** Each licensed cannabis business is required to report any and all environmental protection enforcement actions or nuisance complaints made against the business to the Department's executive director.

(c) **Necessity of new standards**. The Department may, in consultation with the Commissioner of Natural Resources, suggest to Band Assembly whether amendments to Title 11 are necessary to:

(1) establish appropriate water standards for cannabis businesses that promote and protect the integrity of its sovereign land, water, and surrounding communities.

(2) establish appropriate energy standards that minimizes a cannabis business' carbon footprint and environmental impact.

(3) establish appropriate solid waste standards for the disposal of:

(i) cannabis flower and cannabinoid products;

(ii) packaging;

(iii) recyclable materials, including minimum requirements for the use of recyclable materials; and

(iv) other solid waste.

(d) **Pesticide use.** All cannabis cultivators shall only apply pesticides deemed to be "Minimum Risk Pesticides" as defined by the United States Environmental Protection Agency.

§ 10. License Issuance; Transfers; Adjustments; Appeals.

(a) **Cannabis license availability.**

(1) The Department shall issue a separate, non-transferable cannabis license for each cannabis activity authorized under this Code.

(i) Each license shall be assigned a unique identification number that shall appear anywhere a "Department-issued license number" is required by this Code or applicable law.

(ii) Vertical integration is allowed such that a single applicant may be issued licenses for each different activity listed in § 10(a)(2), except where it would violate other provisions of this Code or applicable law.

(2) When the Department approves a cannabis license, a separate cannabis license shall be issued for:

(i) cannabis cultivator;

(ii) cannabis manufacturer;

(iii) cannabis wholesale;

(iv) cannabis retail (without on-site consumption);

(v) cannabis retail (with on-site consumption);

(vi) cannabis testing;

(vii) cannabis event organizer;

(viii) lower-potency hemp edible manufacturer; and

(ix) lower-potency hemp edible retailer.

(b) **Issuance of license.**

(1) The Department shall only issue cannabis licenses to enrolled Mille Lacs Band members, Mille Lacs Corporate Ventures or any Band-owned subsidiary.

(2) A cannabis license shall only be issued by the Department to a cannabis business after the following materials have been provided to and reviewed by the Department:

(i) the name, address, date of birth, and, if applicable, tribal identification number of the applicant;

(ii) the disclosure of the ownership and control under paragraph (4);

(iii) the specific cannabis activity proposed for licensure;

(iv) the mailing and physical address of the cannabis business premises where cannabis activities are intended to take place;

(v) standard operating procedures outlining that the intended methods for operation are compliant with this Code and the Department's regulations;

(vi) a list of proposed employees, including their names, addresses, dates of birth, and photo-copy of their driver's license or other government-issued identification demonstrating each individual is over 21 years of age;

(vii) criminal background checks if deemed necessary by the Department and conducted in a manner determined by the Department via regulation;

(viii) a safety and security plan that guarantees the health and safety of the cannabis business, its employees, and the surrounding community compliant with § 12(i) of this Code;

(ix) a floor plan identifying the square footage available and descriptions of each functional area of the cannabis business facility and premises; and

(x) a copy of the applicant's business plan showing the expected size of the business; anticipated growth; the methods of record keeping; the knowledge and experience of the applicant and any officer, director, manager, and general partner of the business; the environmental plan; and other relevant financial and operational components;

(xi) an explanation detailing the funding sources used to finance the business;

(xii) certification that the applicant will comply with the requirements of this Code relating to the ownership and operation of a cannabis business;

(xiii) a description of the training and education that will be provided, or has already been provided, to any employee regarding responsible cannabis use;

(xiv) any other information the Department deems relevant.

(3) No license shall be issued that would:

(i) place the Band in violation of applicable Band law, grant or funding conditions, or inter-governmental compacts;

(ii) pose a threat to the public interest or health and welfare of the Band and its communities; or

(iii) pose a threat to the effective regulation of cannabis within the Band's sovereign territory; or

~~(iii)~~(iv) sell cannabis on Band-owned casino property.

(4) An applicant must file and update as necessary a disclosure of ownership and control. Such ownership and control shall be 51% or more owned by an

enrolled Mille Lacs Band member or 100% owned by Mille Lacs Corporate Ventures or any Band-owned subsidiary. The Department shall create the disclosure form. Such disclosure shall, at a minimum, include the following:

(i) the name, address, date of birth, and, if applicable, tribal identification number of the applicant or license holder;

(ii) the management structure;

(iii) copies of any promissory notes, security instruments, or other similar agreements; and

(iv) an explanation detailing the funding sources used to finance the business.

(5) License decisions will be made by the Department within 30 calendar days. Failure of the applicant to submit all required and Department-requested information in a timely manner will result in the application being denied.

(6) Cannabis licenses must be renewed annually with the Department in order to identify any operational changes that have been made.

(c) **License fees.** The Department shall require the payment of application fees and renewal fees for cannabis licenses. The renewal fee shall be charged at the time of the second renewal and each subsequent annual renewal thereafter. Application fees and renewal licensing fees are nonrefundable. A fee schedule shall be created and approved by the Board with the Initial Cannabis Regulations. All fees received shall be deposited in the Band's general fund and budgeted for drug abuse prevention efforts through education, prevention, and treatment for the community.

(d) **Transfers and adjustments.**

(1) Cannabis licenses are non-transferrable unless the Department determines grounds for license transfer are permissible. Permissible transfers may include, but are not limited to:

(i) change in legal business structure;

(ii) change in ownership, as long as ownership remains with an enrolled Mille Lacs Band member, Mille Lacs Corporate Ventures or any Band-owned subsidiary; or

(iii) change in location.

(A) The Department may permit relocation of a licensed cannabis business through an application that requires:

(I) new address;

(II) updated floor and site plans for new location; and

(III) changes to safety and security plan.

(e) **Compliance checks.**

(1) The Department shall conduct compliance checks of every cannabis license issued by the Band at least once a year. The checks shall assess compliance with age verification requirements, the applicable operation requirements, and the applicable limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products being sold. Such compliance checks shall be performed by an employee of the Department. The employee of the Department may request assistance from a Tribal law enforcement officer, if the employee deems it necessary for her or his safety.

(2) The Department shall conduct unannounced age verification compliance checks at least once each calendar year. Age verification compliance checks must involve persons at least 17 years of age, but under the age of 21, who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a Tribal law enforcement officer or an employee of the Department.

(f) **License denial, suspension and revocation.**

(1) The Department shall deny any license application for a cannabis business that does not meet any requirement of Band law, Band regulation, or any compacts with the State of Minnesota. Denials shall be made in writing and mailed or electronically sent to the applicant within 15 calendar days of denial.

(2) **License violations.**

(i) **Cease order**. If the Department finds probable cause to believe that a license holder is distributing any cannabis or cannabis product in violation of Band law, Band regulation, its license terms, or any compacts with the State of Minnesota, the Department must take action requiring the license holder to immediately cease distribution of products, and may tag and withdraw the cannabis or cannabis products from distribution.

(ii) **Corrective action**. The Department may issue an administrative order to any license holder that the Department determines has committed a violation of Band law, Band regulation, its license terms, or any compacts with the State of Minnesota Such orders may require the license holder to correct the violation or to cease and desist from committing the violation, or any other remedy available to the Department, including monetary penalties set by regulation or statute. The order must clearly state the deficiencies that constitute the violation and the time by which the violation must be corrected.

(iii) **Suspension**. The Department may issue an administrative order suspending a cannabis license for violation of Band law, Band regulation, its license terms, or any compacts with the State of Minnesota.

(iv) **Revocation**. The Department may issue an administrative order revoking a cannabis license for violation of Band law, Band regulation, its license terms, or any compacts with the State of Minnesota. The Department must provide the license holder with written notice of intent to revoke the cannabis license and an opportunity for the license holder to respond.

(v) **Reconsideration.** A license holder may submit within 15 calendar days, in writing, a request for reconsideration of an administrative order if the license holder believes the administrative order is in error. The Department shall respond to the request within 15 calendar days from when the request was received.

(vi) The Department is not required to proceed first to corrective action or suspension before issuing notice of intent to revoke a license.

(g) **Appeals.** All licensees whose license has been revoked or suspended and persons who have been denied a license, may appeal to the Board pursuant to processes set forth in the Department's regulations.

(1) Appeals shall be filed with the Board within 30 calendar days after the date of receipt of notice of revocation, suspension, or denial of a license. The Board shall hold a hearing within 30 calendar days of receipt of an appeal. The Board may issue a final decision at the conclusion of the hearing or may take the matter under advisement. A final decision in the form of an order shall be made within 15 calendar days of the appeal hearing concluding. All final decisions shall be made in writing and served to all parties within two (2) calendar days of the final decision being made.

(2) All Board decisions on license actions are final and unappealable to any court.

§ 11. Inspection and License Violation.

(a) **Authority to inspect.**

(1) The Department has the authority to, upon presenting appropriate credentials to the owner, operator, or agent in charge at a licensed cannabis business and for any reason:

(i) enter any cannabis business without delay at a reasonable time;

(ii) inspect and investigate a cannabis business during regular working hours and at other reasonable times in order to review the business' conditions, equipment, records, and materials; and

(iii) question the owner, operator, or agent in charge at the cannabis business.

(b) An owner, operator, or agent in charge at a cannabis business may not refuse the entry of a Department representative for any reason. Such refusal constitutes grounds for a license violation per § 10(f)(2).

§ 12. Cannabis Business; General Operational Requirements and Prohibitions.

(a) **Age verification.**

(1) A cannabis business may not employ an individual under 21 years of age and may not contract with an individual under 21 years of age if the individual's scope of work involves the handling of cannabis plants, cannabis flower, artificially derived cannabinoids, or cannabinoid products.

(2) A cannabis business may not permit an individual under 21 years of age to enter the business premises.

(3) A cannabis business may not sell cannabis or cannabis products to an individual under 21 years of age.

(b) **Use of cannabis and cannabis products within a licensed cannabis business.**

(1) A cannabis business may not permit an employee of the licensed business to consume cannabis or cannabis products within its licensed premises or during working hours.

(2) A cannabis business may permit a qualifying consumer to consume products within its licensed premises if the cannabis business holds a retail license that permits on-site consumption.

(i) Consumption of cannabis onsite must be conducted in a designated area on the licensed premises, dedicated to consumption and located in a limited-access area of the facility.

(c) **Restricted access.**

(1) A cannabis business may not permit any individual to enter a restricted access area unless the cannabis business records the individual's name, time of entry, time of exit, authorization to enter the restricted area through use of an electronic or manual entry log, and the individual:

(i) is a cannabis worker employed by or contracted with a cannabis business;

(ii) is an employee or representative of the Department or another enforcement agency;

(iii) is a contractor of the cannabis business, including but not limited to an electrician, a plumber, an engineer, or an alarm technician, whose scope of work will not involve the handling of cannabis flower or cannabinoid products and, if the individual is working in an area with immediate access to cannabis flower and cannabinoid products, the individual is supervised at all times by a cannabis worker employed by the cannabis business; or

(iv) has explicit authorization from the Department to enter a restricted access area and, if the individual is in an area with immediate access to cannabis flower or cannabinoid products, the individual is supervised at all times by a cannabis worker employed by the cannabis business.

(2) A cannabis business shall ensure that all areas of entry to restricted areas within its licensed premises are conspicuously marked and cannot be entered without recording or logging the information outlined in § 12(c)(1) of this Code.

(3) All other visitors to a cannabis business shall be accompanied by an escort employed by the cannabis business and shall not permitted entry to restricted-access areas. The cannabis business must log the visitor's name, time of entry, time of exit, reason for visit, and the escorting employee prior to allowing access into the facility.

(d) **Ventilation and filtration.** A cannabis business must maintain a ventilation and filtration system sufficient to meet the requirements for odor control established by the Department.

(e) **Records.**

(1) A cannabis business must retain financial records for the current and previous calendar year at the primary business location and must make those records readily available for inspection by the Department at any time during regular business hours.

(2) All other business records must be maintained by a cannabis business for a period of at least five (5) years and be made readily available for inspection by the Department upon request.

(f) **Use of seed-to sale tracking system.**

(1) A cannabis business must utilize the seed-to-sale electronic tracking system established by the Department for integrated cannabis tracking, inventory, and verification to monitor all cannabis plants, cannabis flower and cannabinoid products the cannabis business has in its possession to the point of disposal, transfer, or sale.

(2) A cannabis business shall conduct an initial comprehensive inventory of all cannabis and cannabis products in its possession including seeds or immature plants used for cultivation, manufactured goods, and finished, usable cannabis or cannabis products for retail sale. Such inventory shall include damaged, defective, expired or adulterated cannabis or cannabis products awaiting disposal.

(3) Sale and transfer of cannabis and cannabis products must be recorded in the seed-to-sale electronic tracking system within a reasonable time.

(4) Inventory audits shall document the name, quantity, and unique product identifier and shall be reported in the seed-to-sale electronic tracking system. Inventory audits must be maintained, accurate, and up to date in the seed-to-sale electronic tracking system for reporting purposes by the Department.

(5) Any lost or stolen products must be reported to law enforcement and the Department and must be logged in the electronic tracking system as soon as the loss is discovered.

(g) **Disposal and waste management.**

(1) A cannabis business must dispose of cannabis plants, cannabis flower, and cannabinoid products that are damaged, have a broken seal, have been

contaminated, or have not been sold by the expiration date on the label, if applicable.

(2) Disposal must be conducted in a manner approved by the Department which may include rendering the cannabis unusable and unrecognizable through methods such as grinding or mixing the cannabis with a greater quantity of non-cannabis material such as paper or soil. Cannabis waste is unusable and unrecognizable if all components of the waste are indistinguishable and incapable of being ingested, inhaled, injected, swallowed or otherwise consumed.

(3) Disposed cannabis and cannabis products must be documented in the seed-to-sale electronic tracking system.

(h) **Sale of approved products.**

(1) A cannabis business may only sell cannabis and cannabis products that have been approved by the Department as outlined in § 7 of this Code.

(2) A cannabis business may not sell cannabis or cannabis products that do not meet the standards for testing, packaging, and labeling adopted in this Code.

(i) **Security.**

(1) A cannabis business must maintain and follow a security plan to deter and prevent the theft or diversion of cannabis and cannabis products, unauthorized entry into the cannabis business, and the theft of currency.

(2) A cannabis business must establish policies and procedures surrounding alarm monitoring and 24-hour video surveillance for the safety and security of the cannabis business, its employees, and the surrounding community.

§ 13. Cultivation.

(a) **Authorized actions.**

(1) Issuance of a cannabis cultivator license entitles the license holder:

(i) to grow cannabis plants within its licensed premises from seed or immature plant to mature plant;

(ii) to harvest cannabis flower from a mature plant;

(iii) to package and label the cannabis flower for sale to another licensed cannabis business;

(iv) to safely and securely transport the cannabis flower to another licensed cannabis business within or outside the Mille Lacs Band's sovereign territory as authorized in a compact with the State of Minnesota or in Minn. Stat. 3.9228(4) regarding transportation and § 16(b) of this Code; and

(v) any other actions approved by the Department.

(b) **Cultivation records.**

(1) A cannabis cultivator must prepare a cultivation record for each batch of cannabis plants and cannabis flower that is maintained electronically or in hard-copy format. Cultivation records must be maintained for a period of at least five (5) years and be made readily available to the Department upon request.

(2) In addition to the name, weight, quantity, and unique identifier, cultivation records must include the quantity and timing, where applicable, of each pesticide, fertilizer, soil amendment, or plant amendment used to cultivate the batch.

(c) **Cultivation plan.** A cannabis cultivator must prepare, maintain, and execute an operating plan and a cultivation plan which must include, but is not limited to:

(1) water usage;

(2) recycling;

(3) solid waste disposal; and

(4) a pest management protocol that incorporates integrated pest management principles to control or prevent the introduction of pests to the cultivation site.

(d) **Agricultural chemicals and pesticides.**

(1) A cannabis cultivator must request approval from the Department for any pesticides used in the cultivation of cannabis flower.

(2) A cannabis cultivator may not apply pesticides when pollinators are present or allow pesticides to drift to flowering plants that are attractive to pollinators.

(3) A cannabis cultivator is subject to the discretion of the Department regarding the use of pesticides, fertilizers, soil amendments, plant amendments, and other inputs to cultivate cannabis.

(e) **Adulteration.** A cannabis cultivator must not treat or otherwise adulterate cannabis plants or cannabis flower with any substance or compound that has the effect or intent of altering the color, appearance, weight, or smell of the cannabis.

§ 14. Manufacturing.

(a) **Authorized actions.** Issuance of a cannabis manufacturer license entitles the license holder:

(1) to purchase cannabis flower from licensed cannabis cultivators;

(2) to purchase cannabinoid products from other cannabis manufacturers;

(3) to make cannabis concentrate;

(4) to manufacture artificially derived cannabinoids;

(5) to manufacture cannabinoid products for public consumption;

(6) to package and label cannabinoid products for sale to other licensed cannabis businesses;

(7) to sell cannabis concentrate, artificially-derived cannabinoids, and cannabinoid products to other licensed cannabis businesses;

(8) to safely and securely transport cannabis concentrate, artificially derived cannabinoids, and cannabinoid products to other licensed cannabis businesses within or outside the Mille Lacs Band's sovereign territory as authorized in a compact with the State of Minnesota or in Minn. Stat. 3.9228(4) regarding transportation and § 14(b) of this Code; and

(9) any other actions approved by the Department.

(b) **Manufacturer operations.**

(1) Cannabis manufacturing must take place in an enclosed, locked facility that is exclusively used for the manufacturing of cannabinoid products or creation of artificially derived cannabinoids except in the case that the cannabis manufacturing licensee is co-located with a cannabis cultivation licensee.

(2) A facility may be co-located with another licensed cannabis business in a manner that shares general office space, bathrooms, entryways, and walkways.

(3) Cannabis manufacturing must take place on equipment that is used exclusively for the manufacturing of cannabinoid products or creation of artificially derived cannabinoids.

(4) A cannabis manufacturer must comply with all testing, packaging, labeling, and health and safety requirements adopted in this Code or via Department regulations.

(c) **Extraction and concentration.**

(1) A cannabis manufacturer must inform the Department of all methods of extraction and concentration that the manufacturer intends to use as well as identify the volatile chemicals, if any, that will be involved in the creation of cannabis concentrate. A cannabis manufacturer may not use a method of extraction and concentration or a volatile chemical without approval by the Department.

(2) A cannabis manufacturer must inform the Department of all methods of conversion that the manufacturer will use, including any specific catalysts that the manufacturer will employ in order to create artificially derived cannabinoids and the molecular nomenclature of all cannabinoids or other chemical compounds that the manufacturer will create. A cannabis manufacturer may not use a method of conversion or a catalyst without approval by the Department.

(3) A cannabis manufacturer must obtain a written statement by a professional engineer approving:

(i) all electrical, gas, fire suppression, and exhaust systems; and

(ii) the plan for safe storage and disposal of hazardous substances, including but not limited to any volatile chemicals.

(d) **Production of consumer products.**

(1) All areas within the licensed premises of a cannabis manufacturer producing cannabinoid products must be maintained in a clean and sanitary manner. A cannabis manufacturer must establish standard operating procedures that outline the business' policy for clean room standards.

(2) A cannabis manufacturer may only add chemicals or compounds to cannabis concentrate or artificially derived cannabinoids upon approval by the Department.

(3) Upon the sale of any cannabinoid product to a cannabis business, a cannabis manufacturer must provide a statement to the buyer that discloses the

product's ingredients, including but not limited to any chemicals or compounds and any major food allergens declared by name.

(4) Upon the sale of any cannabinoid product to a cannabis business, a cannabis manufacturer must provide a certificate of analysis demonstrating the product has undergone and passed laboratory testing by a licensed testing facility.

(5) A cannabis manufacturer shall not add any cannabis flower, cannabis concentrate, or artificially derived cannabinoid to a product where the manufacturer of the product holds a trademark to the product's name. A cannabis manufacturer may use a trademarked food product if the manufacturer uses the product as a component or as part of a recipe and where the cannabis manufacturer does not state or advertise to the customer that the final retail cannabinoid product contains a trademarked food product.

§ 15. Retail.

(a) **Authorized actions.** Issuance of a cannabis retail license entitles the license holder:

(1) to purchase immature cannabis plants and seedlings and cannabis flower from a licensed cannabis cultivator;

(2) to purchase cannabinoid products from cannabis manufacturers;

(3) to sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabinoid products, and other products authorized by the Department to eligible customers;

(4) to sell and deliver adult-use cannabis flower and cannabinoid products to qualifying customers in accordance with § 16(b) of this Code; and

(5) any other actions approved by the Department.

(b) **Sale of cannabis and cannabinoid products.**

(1) A cannabis retailer may only sell immature cannabis plants or seedlings, adult-use cannabis flower, and adult-use cannabinoid products to individuals who are at least 21 years of age.

(2) A cannabis retailer may sell immature cannabis plants and seedlings, adult-use cannabis flower, and adult-use cannabinoid products that:

(i) are obtained by a licensed cannabis cultivator, cannabis manufacturer, or cannabis wholesaler; and

(ii) meet all applicable packaging and labeling requirements as outlined in § 18 of this Code.

(3) A cannabis retailer may sell up to two (2) ounces of adult-use cannabis flower, eight (8) grams of adult-use cannabis concentrate, and edible cannabinoid products infused with 800 milligrams of tetrahydrocannabinol during a single transaction to a customer.

(i) Edible cannabinoid products may not include more than ten (10) milligrams per serving and a single package may not include more than a total of 100 milligrams of tetrahydrocannabinol.

(A) A package may contain multiple servings of ten (10) milligrams of tetrahydrocannabinol provided that each serving is indicated by scoring, wrapping or other indicators designating the individual serving size.

(c) **Sale of non-cannabis products.** A cannabis retailer may sell cannabis paraphernalia, including but not limited to:

(1) childproof packaging containers and other devices designed to ensure the safe storage and monitoring of cannabis flower and cannabinoid products in the consumer's home to prevent access by individuals under 21 years of age;

(2) drinks that do not contain alcohol or cannabis and are packaged in sealed containers labeled for retail sale;

(3) books and videos on the cultivation and use of cannabis flower and cannabinoid products;

(4) magazines and other publications published primarily for information and education on cannabis plants, cannabis flower, and cannabinoid products;

(5) multiple-use bags designed to carry purchased items;

(6) clothing or other Department-approved merchandise marked with the specific name, brand, or identifying logo of the cannabis retailer; and

(7) paraphernalia designed for consumption of cannabis products sold at the retail store.

(d) **Age verification.**

(1) Prior to entering the licensed retail premises and initiating a sale, an employee of a licensed cannabis retailer must verify that the customer is at least 21 years of age. Proof must be established by at least one of the following:

(i) A valid driver's license or identification card issued by a state or province of Canada including the photograph and date of birth of the licensed person;

(ii) a valid Tribal identification card;

(iii) a valid instructional permit issued to a person of legal age to purchase adult-use cannabis or adult-use cannabinoid products, which includes a photograph and the date of birth of the person issued the permit; or

(iv) a valid passport.

(2) A cannabis retailer may seize a form of identification listed under § 15(d)(1) if the cannabis retailer has reasonable grounds to believe that the form of identification has been altered or falsified or is being used to violate any law. A cannabis retailer that seizes a form of identification as authorized under this section must retain a copy of the photo identification for its business records and deliver the confiscated identification to law enforcement within 48 hours of seizing it.

(e) **Display of cannabis flower and cannabinoid products.**

(1) A cannabis retailer must designate a retail area where customers are permitted to purchase cannabis and cannabis products.

(2) The retail area shall include a portion of the premises where samples of cannabis flower and cannabinoid products that are available for sale are displayed. All other cannabis flower and cannabinoid products must be securely stored in a limited-access area located behind the point-of sale or in a designated storage area inaccessible by customers.

(3) A cannabis retailer may display one sample of each type of cannabis flower or cannabinoid product that is available for sale.

(i) Samples of cannabis flower and cannabinoid products must be stored in a sample jar or display case and be accompanied by a label or notice containing the information required to be affixed on the packaging or container containing cannabis flower and cannabinoid products sold to customers.

(ii) Samples may not consist of more than eight (8) grams of adult-use cannabis flower or adult-use cannabis concentrate or an edible cannabinoid product infused with more than 100 milligrams of tetrahydrocannabinol.

(4) A cannabis retailer may allow customers to smell the cannabis flower or cannabinoid product before purchase.

(5) Samples of cannabis flower or cannabinoid products may not be readily accessible to customers. All sampling must be conducted under the supervision of an employee of the licensed retail store.

(6) A cannabis retailer may not sell cannabis flower or cannabinoid products used as a sample for display.

(f) **Posting of notices.** Cannabis retailers must post all notices as required by the Department, including but not limited to:

(1) information about any product recall;

(2) a statement that operating a motor vehicle under the influence of intoxicating cannabinoids is illegal; and

(3) a statement that cannabis flower and cannabinoid products are only intended for consumption by individuals who are least 21 years of age.

(g) **On-site consumption.**

(1) Cannabis retailers may request as part of their license, approval by the Department for an on-site consumption area.

(2) In any approved on-site consumption area, the following restrictions must apply:

(i) cannabis retailers shall designate an enclosed, limited access area dedicated to on-site consumption.

(ii) a cannabis retailer shall control and restrict ingress and egress to the on-site consumption area with placement of an employee of the licensed cannabis retail store at the entrance to the on-site consumption area.

(iii) a cannabis retailer shall be subject to inspection by the Department or other authorized individuals while the consumption area is open for business.

(iv) a cannabis retailer must establish standard operating procedures for the purpose of training employees to identifying intoxication and substance abuse in customers.

(h) **Building conditions.**

(1) A licensed cannabis retailer must ensure that the licensed premises is maintained in a clean and sanitary condition, free from infestation by insects, rodents, and other pests.

(2) A cannabis retailer must maintain a separate, secure premises designated for retail sales.

(i) **Security.**

(1) A cannabis retailer must establish and maintain a safety and security plan in compliance with § 12(i) of this Code.

(i) The safety and security plan must include, but is not limited to, requirements for:

(A) maintaining video surveillance records;

(B) use of specific locking mechanisms;

(C) establishment of secure entries; and

(D) the number of employees working at all times.

(2) All deliveries to the cannabis retail store from licensed cannabis businesses must be accepted into a limited access area.

(j) **Lighting.** A cannabis retailer must keep all lighting outside and inside the retail store in good working order with wattage sufficient for security cameras.

(k) **Prohibitions.** A cannabis retailer shall not:

(1) knowingly sell more cannabis flower or cannabinoid products than a customer is legally permitted to possess;

(2) give away immature cannabis plants or seedlings, cannabis flower, or cannabinoid products for free;

(3) allow for the dispensing of cannabis plants, cannabis flower, or cannabinoid products in vending machines; or

(4) sell cannabis plants, cannabis flower, or cannabinoid products if the cannabis retailers know that any required security or electronic tracking systems are not operational.

§ 16. Wholesale; Transportation; Delivery.

(a) **Wholesale.**

(1) **Authorized actions.**

(i) A cannabis wholesale license entitles the license holder to:

(A) purchase immature cannabis plants and seedlings, cannabis flower, and cannabinoid products from cannabis cultivators, and cannabis manufacturers within Mille Lacs Band sovereign territory or across the State of Minnesota; and

(B) sell immature cannabis plants and seedlings, cannabis flower, and cannabinoid products to cannabis manufacturers and cannabis retailers within Mille Lacs Band sovereign territory, or across the State of Minnesota if permitted by State law.

(ii) A cannabis wholesaler may purchase and sell other products or items for which the cannabis wholesaler has a license or authorization or that do not require a license or authorization. Products for which no license or authorization is required include but are not limited to cannabis paraphernalia such as childproof packaging containers and other devices designed to ensure the safe storage and monitoring of cannabis flower and cannabinoid products in a home to prevent access by individuals under 21 years of age.

(iii) Cannabis activity that is conducted outside of the Band's sovereign territory within the State of Minnesota must be conducted in compliance with the State of Minnesota's cannabis laws.

(2) **Separation of products.** A cannabis wholesaler must ensure the cannabis products, cannabis flower, and cannabinoid products are physically separated from all other products in a manner that prevents any cross-contamination.

(3) **Records and labels.** A cannabis wholesaler must maintain accurate records and ensure that appropriate labels remain affixed to cannabis plants, cannabis flower, and cannabinoid products as outlined in § 18 of this Code.

(4) **Building conditions.**

(i) A cannabis wholesaler must ensure that the licensed premises are maintained in a clean and sanitary condition, free from infestation from insects, rodents, and other pests.

(ii) A cannabis wholesaler must maintain compliance with applicable building, fire, and zoning requirements or regulations.

(b) **Transportation and delivery.**

(1) **Authorized actions.**

(i) Licensed cannabis cultivators, manufacturers, retailers, and wholesalers are authorized to transport or deliver immature cannabis plants and seedlings, cannabis flower, and cannabinoid products as permitted by the licensee's authorized actions in compliance with this section, except that transportation and delivery outside of the Band's sovereign territory must comply with the State of Minnesota's cannabis laws.

(2) **Transportation operations.**

(i) Before transporting cannabis plants and seedlings, cannabis flower, and cannabinoid products, a licensee must obtain a shipping manifest through the established seed-to-sale tracking system determined by the Department. The manifest must be kept with the products at all times and the licensee must maintain a copy of the manifest in its records.

(ii) Records of transportation must be kept for a minimum of three (3) years at the licensee's place of business and are subject to inspection upon request by the Department.

(A) Records of transportation include the following:

(I) copies of transportation manifests for all deliveries;

(II) a transportation log documenting the chain of custody for each delivery, including every employee and vehicle used during transportation; and

(III) financial records showing payment for transportation services.

(iii) Cannabis plants and seedlings, cannabis flower, and cannabinoid products must be transported in a locked, safe, and secure storage compartment that is part of the motor vehicle or in a locked storage container that has a separate key or combination pad.

(iv) Cannabis plants and seedlings, cannabis flower, and cannabinoid products may not be visible from outside the motor vehicle.

(v) No vehicle or trailer may contain an image depicting the types of items being transported, including but not limited to an image depicting a cannabis leaf or a name suggesting that the vehicle is used in transporting cannabis products.

(vi) A licensee must ensure that all delivery times and routes are randomized.

(vii) All transportation vehicles transporting cannabis plants and seedlings, cannabis flower, and cannabinoid products must be staffed with a minimum of two employees. At least one delivery team member must remain with the motor vehicle at all times that the motor vehicle contains cannabis products.

(A) Only a cannabis worker employed by or contracted with the licensee who is at least 21 years of age may transport cannabis plants and seedlings, cannabis flower, and cannabinoid products.

(B) All passengers in a vehicle must be a cannabis worker employed by or contracted with the licensee.

(C) All drivers must carry a valid driver's license with the proper endorsement when operating a vehicle transporting cannabis plants and seedlings, cannabis flower, or cannabinoid products.

(viii) Any vehicle assigned for the purpose of transporting cannabis plants and seedlings is subject to inspection and may be stopped or inspected at any licensed cannabis business or while en route during transportation.

(3) **Delivery operations.**

(i) Prior to completing a delivery, a licensee must verify that the customer is at least 21 years of age prior to completing the delivery.

(ii) Receipt of cannabis flower and cannabinoid products by the licensee and delivery to a customer must be recorded in the established seed-to-sale tracking system.

(iii) Licensees must maintain records for delivery services conducted including but not limited to, proof of delivery to individuals who are at least 21 years of age.

(iv) The Department shall establish limits on the amount of cannabis flower and cannabis products that a licensee may deliver.

(v) Cannabis flower and cannabinoid products must be transported in a locked, safe, and secure storage compartment that is part of the cannabis delivery vehicle or in a locked storage container that has a separate key or combination pad.

(A) Cannabis flower and cannabinoid products may not be visible from outside of the cannabis delivery vehicle.

(B) No cannabis delivery vehicle or trailer may contain an image depicting the types of items being transported, including but not limited to an image depicting cannabis or a name suggesting that the cannabis delivery vehicle is used for transporting cannabis flower or cannabinoid products.

(vi) Only a cannabis worker employed by or contracted with the licensee and who is at least 21 years of age may transport cannabis flower or cannabinoid products.

(A) All passengers in the cannabis delivery vehicle must be cannabis workers employed by or contracted with the cannabis delivery service.

(vii) Any cannabis delivery vehicle is subject to inspection or may be stopped or inspected at any licensed cannabis business or while en route during transportation.

§ 17. Testing.

(a) **Authorized actions.** A cannabis testing facility license entitles the license holder to obtain and test immature cannabis plants and seedlings, cannabis flower, and cannabinoid products from licensed cannabis cultivators, cannabis manufacturers, and cannabis wholesalers.

(b) **Testing facility operations.**

(1) A cannabis testing facility must provide some or all of the testing services outlined in § 17(c) of this Code.

(2) A cannabis testing facility shall follow all testing protocols, standards, and criteria adopted in this Code for the testing of different forms of:

(i) cannabis flower and cannabinoid products;

(ii) determining batch size;

(iii) sampling;

(iv) testing validity; and

(v) approval or disapproval of tested cannabis plants and seedlings, cannabis flower, and cannabinoid products.

(3) Records of all business transactions and testing results, records required to be maintained pursuant to any applicable standards of accreditation, and records relevant to testing protocols, standards, and criteria adopted by the Department and this Code must be kept for a minimum of at least three (3) years at the cannabis testing facility's place of business and are subject to inspection by the Department upon request.

(4) A testing facility shall dispose of or destroy used, unused, and waste cannabis plants and seedlings, cannabis flower, or cannabis in a manner determined by the Department in accordance with § 11(g) of this Code.

(c) **Testing standards and requirements.**

(1) A cannabis business shall not sell or offer for sale cannabis flower or cannabinoid products to another cannabis business or to a customer, or otherwise transfer cannabis flower or cannabinoid products to another cannabis business unless:

(i) a representative sample of the batch of cannabis flower or cannabinoid product has been tested according to this section and regulations adopted under this Code;

(ii) the testing was completed by a cannabis testing facility that has been issued a laboratory testing facility license within or outside the Mille Lacs Band's sovereign territory, including facilities licensed by the State of Minnesota; or

(iii) the tested sample of cannabis flower or cannabinoid product was found to meet the testing standards established in this section.

(2) The Mille Lacs Band requires all licensed cannabis testing facilities located within its sovereign territory to abide by the standards and procedures set by State of Minnesota regulation under Minn. Stat. 342.61.

(i) This includes but is not limited to, procedures governing the sampling, handling, testing, storage, and transportation of cannabis flower or cannabinoid products tested including:

(A) the contaminants for which cannabis flower or cannabinoid products must be tested;

(B) standards for potency and homogeneity testing; and

(C) procedures applicable to cannabis businesses and cannabis testing facilities regarding cannabis flower and cannabinoid products that fail to meet the standards for allowable levels of contaminants established by the terms in this Code, that fail to meet the potency limits established under this Code, or that do not conform with the content of the cannabinoid profile listed on the product's label.

(3) All testing required under this section must be performed in a manner that is consistent with generally-accepted requirements for testing and calibration activities.

§ 18. Packaging and Labeling.

(a) **General.** All cannabis flower and cannabinoid products sold to customers must be packaged and labeled in accordance with this section.

(b) **Packaging requirements.**

(1) All cannabis flower and cannabinoid products sold to customers must be:

(i) pre-packaged in packaging or a container that is plain, child-resistant, tamper-evident, and opaque; or

(ii) placed in a packaging or a container that is plain, child-resistant, tamper-evident, and opaque at the final point of sale to a customer.

(2) An edible cannabinoid product containing more than a single serving must be pre-packaged or placed at the final point of sale in packaging or a container that is resealable.

(c) **Packaging prohibitions.**

(1) Cannabis flower and cannabinoid products sold to customers must not be packaged in a manner that:

(i) bears a reasonable resemblance to any commercially available product that does not contain cannabinoids, whether the manufacturer of the product holds a registered trademark or has registered the trade dress; or

(ii) is designated to appeal to a person under 21 years of age.

(2) Packaging for cannabis flower and cannabinoid products must not contain or be coated with any perfluoroalkyl substance.

(3) Edible cannabinoid products must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food.

(d) **Content of label: cannabis flower.** All cannabis flower sold to customers must have affixed on the packaging or container of the cannabis flower, a label that contains at least the following information:

(1) the name and Department-issued license number of the cannabis cultivator where the cannabis flower was cultivated;

(2) the net weight or volume of cannabis flower in the package or container;

(3) the batch number;

(4) the cannabinoid profile;

(5) a universal symbol established by the Department indicating that the package or container contains cannabis flower;

(6) verification that the cannabis flower was tested according to § 17 of this Code and that the cannabis flower complies with the applicable standards;

(7) the maximum dose, quantity, or consumption that may be considered safe within a 24-hour period;

(8) the following statement: "Keep this product out of reach of children"; and

(9) any other statements or information required by the Department.

(e) **Content of label: cannabinoid products.** All cannabinoid products sold to customers must have, affixed to the packaging or container of the cannabis product, a label that contains at least the following information:

(1) the name and Department-issued license number of the cannabis cultivator that cultivated the cannabis flower used in the cannabinoid product;

(2) the name and Department-issued license number of the cannabis manufacturer that manufactured the cannabis concentrate;

(3) the net weight or volume of the cannabinoid product in the package or container;

(4) the type of cannabinoid product;

(5) the batch number;

(6) the serving size (if applicable);

(7) the cannabinoid profile per serving and in total;

(8) a list of ingredients;

(9) a universal symbol established by the Department indicating that the package or container contains a cannabinoid product;

(10) verification that the cannabinoid product was tested according to § 17 of this Code and that the cannabinoid product complies with the applicable standards;

(11) the maximum dose, quantity, or consumption that may be considered safe within a 24-hour period;

(12) the following statement: "Keep this product out of reach of children"; and

(13) any other statements or information required by the Department.

(f) **Additional information.**

(1) A cannabis retailer may provide customers with the additional information by:

(i) including the information on the label affixed to the packaging or container of cannabis flower or cannabinoid product;

(ii) posting the information in the premises of the cannabis retailer; or

(iii) providing the information on a separate document or pamphlet provided to customers when a customer purchases cannabis flower or a cannabinoid product.

(2) Additional information may include:

(i) factual information about impairment effects and the expected timing of impairment effects, side effects, adverse effects, and health risks of cannabis flower and cannabinoid products;

(ii) a statement that customers must not operate a motor vehicle or heavy machinery while under the influence of cannabis flower or a cannabinoid product;

(iii) resources customers may consult to answer questions about cannabis flower, cannabinoid products, and any side effects and adverse effects;

(iv) contact information for the poison control center and a safety hotline or website for customers to report and obtain advice about side effects or adverse effects of cannabis flower and cannabinoid products; and

(v) any other information specified by the Department.

§ 19. Advertising.

(a) **Limitations applicable to advertisements.**

(1) No cannabis business shall publish, or cause to be published, an advertisement for cannabis flower, a cannabinoid product, or a cannabis business in a manner that:

(i) contains false or misleading statements;

(ii) contains unverified claims about the health or therapeutic benefits or effects of consuming cannabis flower or a cannabis product;

(iii) promotes the overconsumption of cannabis flower or cannabis products; or

(iv) depicts a person under 21 years of age consuming cannabis flower or a cannabis product.

(2) A cannabis business may publish an advertisement for cannabis flower, a cannabinoid product, or a cannabis business in a manner that reasonably appeals to individuals who are over 21 years of age.

(3) Advertising activity that is conducted outside of the Band's sovereign territory within the State of Minnesota must be conducted in compliance with the State of Minnesota's cannabis laws.

(b) **Outdoor advertisements.**

(1) A cannabis business may advertise its business on an outdoor sign with approval from the Department and in compliance with § 19(a) of this Code.

(2) A cannabis business may erect up to two fixed outdoor signs on the exterior of the building or property of the cannabis business.

(i) A fixed outdoor sign:

(A) may contain the name of the cannabis business and the address and nature of the cannabis business; and

(B) may include the cannabis business' logo.

(c) **Audience under 21 years of age.** A cannabis business shall not publish an advertisement of cannabis flower, a cannabinoid product, or a cannabis business in any print publication or on radio, television, or any other medium if 70 percent or more of the audience of that medium is reasonably expected to be individuals who are under 21 years of age, as determined by reliable, current audience composition data.

§ 20. Limitation on Consumption; Locations of Consumption.

(a) Nothing in this Code permits any person to engage in, and does not prevent the imposition of any civil, criminal, or other penalties for:

(1) undertaking a task under the influence of cannabis that would constitute negligence or professional malpractice;

(2) possessing or consuming cannabis:

(i) on a school bus or van;

(ii) in a correctional facility; or

(iii) on the grounds of a child care facility or family or group day care program;

(3) consuming cannabis on Band-owned casino property;

(4) vaporizing or smoking cannabis:

(i) on any form of public transportation;

(ii) where the vapor or smoke would be inhaled by a minor; or

(iii) in any public place, including any indoor or outdoor area used by, or open to, the general public or a place of employment, except as permitted by licensed retailers with approval for on-site consumption;

(5) operating, navigating, or being in actual, physical control of a motor vehicle, aircraft, train, or motorboat;

(6) working on transportation property, equipment or facilities or in other safety-sensitive jobs or industries while under the influence of cannabis; or

(7) operating cannabis consumption lounges located on Band-owned casino property.

§ 21. Ownership and Use of Mille Lacs Corporate Ventures' Revenues.

(a) **Mille Lacs Band property.** All revenues generated from a Mille Lacs Corporate Ventures cannabis license shall be the sole property of the Band. All profits and net revenues shall be deposited into the Band's general treasury. Once deposited into the general treasury, such funds shall not be identified as cannabis funds. No individual Band member shall be deemed to have any interest in such profits or net revenues generated from a Mille Lacs Corporate Ventures cannabis license.

(b) **Use of net revenues.** Net revenues derived from a Mille Lacs Corporate Ventures cannabis license shall follow the Net Revenue Allocation Schedule pursuant to 16 MLBS § 108.

§ 22. Personal Adult Use of Cannabis.

(a) **Personal adult use, possession, and transportation of cannabis flower and cannabinoid products.**

(1) Except as provided in § 20, an individual 21 years of age or older may:

(i) use, possess, or transport cannabis paraphernalia;

(ii) possess or transport two (2) ounces or less of adult-use cannabis flower in a public place;

(iii) possess two (2) pounds or less of adult-use cannabis flower in the individual's private residence;

(iv) possess or transport eight (8) grams or less of adult-use cannabis concentrate;

(v) possess or transport edible cannabis products or lower-potency hemp edibles infused with a combined total of 800 milligrams or less of tetrahydrocannabinol;

(vi) give, for no remuneration to an individual who is at least 21 years of age:

(A) two ounces or less of adult-use cannabis flower;

(B) eight grams or less of adult-use cannabis concentrate;

(C) an edible cannabis product or lower-potency hemp edible infused with 800 milligrams or less of tetrahydrocannabinol; and

(vii) use adult-use cannabis flower and adult-use cannabis products in the following locations:

(A) in a private residence, including the individual's curtilage or yard;

(B) on private property, not generally accessible by the public, unless the individual is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner, manager or lessee of the property; or

(C) on the premises of an establishment or event licensed to permit on-site consumption.

(2) Except as provided in paragraph (3), an individual may not:

(i) use, possess, or transport cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products if the individual is under 21 years of age;

(ii) use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a motor vehicle as defined in Title 23;

(iii) use cannabis flower, cannabis products, or hemp-derived consumer products in a manner that involves the inhalation of smoke, aerosol, or vapor at any location where smoking is prohibited;

(iv) use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place, which shall include any Band-owned government-operated building, a Band school as defined in Title 9, ceremonial building, community centers, Band-owned treatment facilities, health clinics, halfway houses, or any Band-owned building that has a posted sign; this list

does not include Mille Lacs Corporate Ventures or any Band-owned subsidiary;

(v) operate a motor vehicle while under the influence of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;

(vi) give, for no remuneration, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to an individual under 21 years of age;

(vii) give for no remuneration cannabis flower or cannabis products as a sample or promotional gift if the giver is in the business of selling goods or services; or

(viii) vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor.

(3) The prohibitions under paragraph (2), clauses (i) to (iv), do not apply to use other than by smoking or by a vaporized delivery method, possession, or transportation of medical cannabis flower or medical cannabinoid products by a patient; a registered designated caregiver; or a parent, legal guardian, or spouse of a patient.

(b) **Home cultivation of cannabis for personal adult use.** Up to eight (8) cannabis plants, with no more than four (4) being mature, flowering plants may be grown at a single, private residence, including the curtilage or yard, without a license to cultivate cannabis issued under this chapter provided that cultivation takes place at the primary residence of an individual 21 years of age or older and in an enclosed, locked space that is not open to public view.

(c) **Prohibition of home cultivation of cannabis for personal adult use.** Landlords owning or managing rental property on Band-owned land may prohibit cannabis cultivation for personal adult use as described in § 22(b).

(d) **Prohibition of cannabis in HUD homes.** Individuals living in a Band-owned HUD (Housing and Urban Development) home shall be prohibited from cultivating cannabis as described in § 22(b) of this chapter, selling, using, or possessing cannabis while on the premises of any HUD home. Any penalty to this subsection shall be addressed in a Housing policy.

(e) **Home extraction of cannabis concentrate by use of volatile solvent prohibited.** No person may use a volatile solvent to separate or extract cannabis concentrate without a license issued under this Code.

(f) **Sale of cannabis flower and products prohibited.** No person may sell cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products without a license issued under this Code that authorizes the sale.

(g) **Penalties.**

(1) The Department may assess a civil penalty of up to $250 per offense against a person who sells cannabis flower, cannabis products, cannabis concentrate, lower-potency hemp edibles, or hemp-derived consumer products without a license issued under this chapter that authorizes the sale.

(2) The Department may assess a civil penalty of up to $250 per offense against a person who violates § 22 (a)(2).

~~(2)~~(3) The Department may assess a civil penalty of up to $100 for each plant grown in excess of the limit against a person who grows more than eight (8) cannabis plants or more than four (4) mature, flowering plants, without a license to cultivate cannabis issued under this Code.

§ 23. Violations.

In addition to penalties listed in this subsection, a person who violates the provisions of this Code is subject to any applicable criminal penalty.

§ 24. Provisional License for Mille Lacs Corporate Ventures.

Mille Lacs Corporate Ventures shall obtain a provisional cannabis license for each license as listed in § 10(a)(2). All provisional licenses may be granted by a Resolution of the Band Assembly starting on the effective date of this Act and shall expire on December 31, 2024. After expiration of all provisional cannabis licenses, Mille Lacs Corporate Ventures shall obtain any and all cannabis licenses through the Department's processes as listed above.

§ 25. Medical Marijuana.

The Minnesota Cannabis Registry for medical marijuana patients and their caregivers, and in particular, Minnesota registry verification cards, shall be recognized by the Band and by the Mille Lacs Band of Ojibwe Personnel Policies pursuant to 6 MLBS § 1.

Section 2. Amending 22 MLBS § 509 to add a subsection.

(a) There is hereby imposed, a special surcharge tax, requiring that one percent (1%) of gross cannabis sales within the Band's sovereign territory be distributed to the Mille Lacs Band of Ojibwe government to fund drug abuse prevention efforts through education, prevention, and treatment for the community.

Section 3. Amending 23 MLBS §§ 1, 7.

§ 1. Incorporation by Reference.

(a) For the purpose of enforcing 23 MLBS § 7, the Band Assembly hereby creates Title 23 of the Mille Lacs Band Statutes ~~Annotated~~. Title 23 shall be ~~en~~titled "Prohibited Drugs". It is the intent of the Band Assembly to incorporate the following provisions of the Statutes of the State of Minnesota, Chapter 152 ~~Prohibited Drugs~~Drugs; Controlled Substances as Title 23 of the Mille Lacs Band Statutes ~~Annotated~~. The intent of the Band Assembly is to exercise concurrent criminal jurisdiction with the State of Minnesota pursuant to the provisions of 18 U.S.C. § 1162 to protect the general health, welfare, and safety of those persons who reside on lands subject to the jurisdiction of the Band. The following provisions of Minnesota Statutes Chapter 152 are hereby incorporated by reference into this title:

(1) Section 152.01 – Definitions;

(2) Section 152.02 – Schedule of Controlled Substances;

~~(3) Section 152.09 – Prohibited Acts~~

~~(4)~~(3) Section 152.10 – Sales, Persons Eligible; and

~~(5)~~(4) Section 152.12 – ~~Doctors may Prescribe~~Health Care Providers May Prescribe

~~(6) Section 152.19 – Forfeitures~~

~~(7) Section 152.21, Subdivision 6 – THC Therapeutic Research Act/Exemption from Criminal Sanction~~

(b) All subsections within an above sectional listing shall apply.

(c) The following provisions of Minnesota Statutes, Chapter 152~~,~~ shall be incorporated by reference into this title for the purposes of enforcement:

(1) Sections 152.01 - Definitions~~,~~;

(2) Section 152.02 - Schedules of Controlled Substances~~,~~;

(3) Section 152.10 - Sales, Persons Eligible~~,~~;

(4) Section 152.11 - ~~Written or Oral~~ Prescriptions~~,~~ ~~Requisites,~~; and

~~(1)~~(5) Section 152.12 - ~~Doctors~~ Health Care Providers May Prescribe~~.~~ ~~shall be incorporated by reference into this title for the purposes of enforcement. Provisions of Section 152.19 - Forfeiture are applicable.~~

§ 7. Possession within Motor Vehicle.

(a) Any person who is the owner of a private motor vehicle, or the driver of a motor vehicle if the owner is not present, and who possesses on her or his person or knowingly keeps or allows to be kept in a motor vehicle within the area of the vehicle normally occupied by the driver or passengers ~~any marijuana or~~ controlled drugs or violates 15 MLBS § 22(a)(1)(i),(ii), (iv), or (v) or 15 MLBS § 22(a)(2)(i), shall be deemed guilty of an offense, and upon conviction thereof, ~~may be sentenced to incarceration or labor for a period of time not to exceed 180 days, and/or~~ may receive a fine not to exceed $500.00, provided that the violation of Title 15 or introduction of ~~said~~ controlled substance on lands under the jurisdiction of the Band is not for illegal distribution purposes. The judge or jury shall specifically enter a finding of intent based upon the evidence introduced at trial. Should the judge or jury enter a finding of intent to distribute, upon conviction thereof, a sentence of exclusion from all lands under the jurisdiction of the Non-Removable Mille Lacs Band of ~~Chippewa Indians~~Ojibwe for a period of time at the discretion of the Court shall be imposed.

(b) The area of the vehicle shall not include the trunk of the motor vehicle when such vehicle is equipped with a trunk or another area of the vehicle not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. A utility or glove compartment shall be deemed to be within the area occupied by the driver and passenger.

(1) For any person 21 years old and older, t~~T~~he existence of more than 2 ounces of cannabis flower, 8 grams of concentrate, or 800 milligrams of edible product (including low-potency hemp-derived product)~~.05 ounces of marijuana~~ in the trunk of any motor vehicle shall be prima facie evidence of an intent to illegally distribute.

(2) For any person 20 years old and younger, the existence of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in the trunk of any motor vehicle shall be prima facie evidence of an intent to illegally distribute.

EFFECTIVE DATE. This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.

Act 13-24
(Band Assembly Bill 21-01-13-24)

Introduced to the Band Assembly on this
Fifteenth day of February in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fifteenth day of February in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: February 18, 2024 Melanie Benjamin

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 14-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2023, and September 30, 2024. This bill has been drafted based on formal documents submitted by the Deputy Assistant to the Chief Executive on January 29, 2024; and Assistant Commissioner of Administration on February 9, 2024.

The District I Representative introduced the following Bill on the 15th day of February, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch the Fiscal Years ending September 30, 2023, and September 30, 2024.

Section 1.01: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2023 Executive: a budget revision to move monies within the Chief Executive budget for end of year budget clean-up as submitted (Memo from the Deputy Assistant dated January 29, 2024):

Chief Executive 102-2000 $37,013.11 – **Total**

FY2024 Community Development: a payroll budget revision to move monies within several Community Development budgets to cover payroll expenditures as submitted (Memo from the Assistant Commissioner of Administration dated February 8, 2024):

Community Development Budgets:
271-2750
271-2730
108-2350
104-1350
104-1200 $676,656.00– **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 14-24

(Band Assembly Bill 21-01-14-24)

Introduced to the Band Assembly on this
Fifteenth day of February in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fifteenth day of February in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: February 15, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 15-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2023, and September 30, 2024. This bill has been drafted based on formal documents submitted by the Deputy Assistant to the Chief Executive on February 12, 2024; and the Administration Policy Board on February 16, 2024.

The District III Representative introduced the following Bill on the 21st day of February, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch the Fiscal Years ending September 30, 2023, and September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2023	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (February 8, 2024)
Administration		
Youth at Work 281-NEW Of FY2023 Grant Funds	$100,000.00	Attachment # 6

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (February 8, 2024)
Health & Human Services		
Waivered Services 223-4945 Of FY2024 Grant Funds	$100,000.00	Attachment # 5

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2023 Administration: a budget transfer to move monies from Aanjibimaadizing 477 Interest Fund to Aanjibimaadizing PL 102-477 for end of year budget cleanup as submitted (attachment # 3):

Aanjibimaadizing 477 Interest Fund 281-6772	($93,391.03) to
Aanjibimaadizing PL 102-477	$93,391.03

FY2024 Health & Human Services: a budget revision to move monies within the Waivered Services budget to support the purchase of a handicap equipped vehicle with granting agency approval as submitted (attachment # 4):

Waivered Services 223-4750	$60,000.00 – **Total**

FY2024 Executive: a payroll budget revision to move monies within the Chief Executive budget to increase the salary line for a new staff attorney as submitted (Memo from the Deputy Assistant dated February 6, 2024):

Chief Executive 102-2000	$22,086.00 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 15-24

(Band Assembly Bill 21-01-15-24)

Introduced to the Band Assembly on this
Twenty-first day of February in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-first day of February in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: February 22, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 16-24

An Act amending section 1 of Title 6 to adopt a revised Personnel Policy and Procedures Manual to add dedicated language for a paid parental leave policy.

This bill reflects the compromise between the Chief Executive and the Band Assembly on vetoed Act 51-23 and the later compromised Act 60-23. In a letter from the Chief Executive, dated September 1, 2023, it was requested that a compromise could be accomplished if the Band Assembly "works towards the passage of a bill within 60 days that approves additional amendments to the Personnel Policy & Procedures Manual addressing maternity leave and social media usage."

Within the 60-day timeframe, the District Representatives worked with the Commissioner of Administration, Assistant Commissioner of Administration, Human Resources, and the Office of the Solicitor General to begin the work on the draft policies. The District Representatives expanded the maternal leave to be a parental leave policy, to include partners of those who give birth. Employees who give birth will now have 12 weeks of paid parental leave. The policy also expands, and encourages, Band employees to use paid parental leave for adoption, fostering a child, or being legally designated to provide a child with care and parental supervision. Employees who adopt, foster, or have been legally designated to provide a child with care and parental supervision will now have 4 weeks of paid parental leave.

The District Representatives continue to work on a social media usage policy and others to ensure the Personnel Policy and Procedures Manual stays updated.

The District I, II, and III Representative introduced the following Bill on the 21st day of February, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Amending 6 MLBS § 1.

§ 1. Adoption and Amendment of Personnel Policy and Procedures Manual.

(b) The Mille Lacs Band of Ojibwe Personnel Policies and Procedures Manual, as amended and approved on ~~September 6, 2023~~February 21, 2024, are hereby adopted. A copy of the revised Personnel Policies and Procedures Manual shall be attached as Exhibit A to the Act which is enacting it.

EFFECTIVE DATE. This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.

Act 16-24
(Band Assembly Bill 21-01-16-24)

Introduced to the Band Assembly on this
Twenty-first day of February in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-first day of February in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: February 24, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 17-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Commissioner of Natural Resources on February 21, 2024.

The District I Representative introduced the following Bill on the 28th day of February, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch the Fiscal Year ending September 30, 2024.

Section 1.01: Budget revision/transfers. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo from the Commissioner of Natural Resources dated February 22, 2024):

Natural Resources 251-5300 $28,538.40 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget to hire one Fisheries Intern and one Aquaculture Intern for the Summer as submitted (Memo from the Commissioner of Natural Resources dated February 22, 2024):

Natural Resources 251-5380 $15,884.80 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo from the Commissioner of Natural Resources dated February 22, 2024):

Natural Resources 251-5330 & 251-5365 $10,612.00 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo from the Commissioner of Natural Resources dated February 22, 2024):

Natural Resources 251-5950 $6,023.60 – **Total**

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 17-24

(Band Assembly Bill 21-01-17-24)

Introduced to the Band Assembly on this
Twenty-eighth day of February in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-eighth day of February in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: February 29, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 18-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures for the Executive Branch for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Administration Policy Board on February 26, 2024.

The District II Representative introduced the following Bill on the 6th day of March, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (February 22, 2024)
Community Development		
I.H.S. Grant Program 104-1260 Of FY2024 Grant Funds	$27,300.00	Attachment # 3
Health & Human Services		
Victim Services 223-NEW Of FY2024 Grant Funds	$257,025.00	Attachment # 4
Victim Services 223-4855 Of FY2024 Grant Funds	$152,896.16	Attachment # 5
Education		
Striving Readers 203-3320 Of FY2024 Grant Funds	$26,000.00	Attachment # 6
Academic Enrichment 203-3395 Of FY2024 Grant Funds	$34,480.00	Attachment # 7
Administration		
Aanjibimaadizing Re-Entry Project 107-NEW		

Of FY2024 Grant Funds	$385,714.00	Attachment # 8
Aanjibimaadizing HAF 271-2767 Of FY2024 Grant Funds	$68,900.07	Attachment # 9

Section 1.02: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 18-24

(Band Assembly Bill 21-01-18-24)

Introduced to the Band Assembly on this
Sixth day of March in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Sixth day of March in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: March 8, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 19-24

An Act of Appropriation for Governmental Operations of the Executive, Legislative, and Judicial Branches; Circle of Health; Gaming Regulatory Authority; Department of Athletic Regulation; Supplemental Income Program for Elders; Tribal Employment Rights Office; and Band Member Legal Services of the Mille Lacs Band Tribal Government for fiscal years ending September 30, 2024, and September 30, 2025. This bill has been drafted based on formal documents submitted by the Office of Management and Budget and the Commissioner of Administration.

The District II Representative introduced the following Bill on the 13th day of March, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for Governmental Operations for the Fiscal Years ending September 30, 2024, and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures detailed in "Exhibit A," which is incorporated herein as the budget for Fiscal Years 2024 and 2025.

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded within any line item unless otherwise permitted by Band law. Funds must be utilized for the purposes for which they were requested, notwithstanding any exceptions provided in this Bill or any other active Band law. No expenditure that causes a budget line item to be exceeded may be paid without further Band Assembly action, except that the Office of Management and Budget leadership is authorized to exercise reasonable discretion regarding line item budget overages such as to avoid unintended outcomes that would result in an adverse impact to the Band. Examples include, but are not limited to: paying a utility bill to avoid discontinuance of service/utility shut-offs; paying on an invoice to prevent incurrence of late payment charges; and, authorizing expenditures for emergency situations such as a broken water main or heating unit. Salary and wages are only permitted to be expended for the Position Titles listed in the budget (Exhibit A), at the corresponding hourly rates or below, unless approved through the Payroll Budget Revision process.

Section 1.03: Certain grants and contracts excluded. Specifically excluded from this Bill are any grants or contracts not listed in the budget (Exhibit A).

Section 1.04: Supplemental appropriations. Any increase in funding to any grant or contract listed in the attached fiscal year budget, or any newly received grant or contract, shall be subject to supplemental appropriation by the Band Assembly prior to any expenditure of these funds.

Section 1.05: Decreases in funding. Any decrease in funding to any grant or contract already budgeted shall automatically result in an equal decrease in the approved appropriation and, upon

notification of the decrease by the appropriate grant agency, shall be subject to action by the Band Assembly to decrease the specific appropriation.

Section 1.06: Indirect costs. Indirect costs shall be collected for the particular programs based on the current rate approved by the United States Department of Interior and/or Office of Inspector General, unless limited to a lesser rate by applicable federal and/or state regulations.

Section 1.07: Quarterly progress reports. Quarterly progress reports shall be presented to the Band Assembly by all Commissioners and program leaders, or their designees, for their respective programs. The Band Assembly shall notify the office of the Chief Executive and the office of each Commissioner and program leader is required to appear before the Band Assembly at least five (5) full days prior to the Commissioner's or program leader's scheduled appearance.

Section 1.08: End of fiscal year. Except as otherwise exempted, all appropriations shall lapse at the end of each fiscal year.

Section 1.09: Budget revisions equal to or less than $10,000.00 per month. The Band Assembly hereby authorizes the Chief Executive, Secretary-Treasurer, District Representatives, Commissioners, Assistant Commissioner, Solicitor General, Chief Justice, Band Member Legal Services Managing Attorney, and Directors of the Gaming Regulatory Authority, Department of Athletic Regulation, and Tribal Employment Rights Office to approve budgetary revisions within programs, exclusive of salary and wage revisions, equal to or less than $10,000.00 per month, provided that the budget revisions are allowable under grant provisions, if applicable, and that sufficient funds are available for the budget revisions.

Section 1.10: Budget revisions greater than $10,000.00 per month. For budget revisions greater than $10,000.00 per month, the Band Assembly hereby authorizes the Administration Policy Board (APB) to approve Executive Branch budget revisions within programs, exclusive of salary and wage revisions, of up to 50 percent (50%) of the total program's budget if the program is less than $100,000.00 and up to 20 percent (20%) if the program is equal to or greater than $100,000.00. Chief Executive budget revisions do not require approval by APB and instead are routed directly from the Chief Executive to Band Assembly. Budget revisions in excess of $10,000.00 outside of the Executive Branch, do not require approval by APB, and instead are routed directly to Band Assembly. Budgetary revisions in excess of these thresholds must be approved by Band Assembly through an appropriation bill and enacted into law by the Chief Executive.

Section 1.11: Budget revisions and transfers of Internal Service Funds.

(a) For non-grant funded programs, budget revisions from health insurance (line item 4105), dental insurance (line item 4108), and workers' compensation (line item 4109) are prohibited except as provided in subsection b. Budget transfers from health insurance (line item 4105), dental insurance (line item 4108), and workers' compensation (line item 4109) are permitted only to cover program shortages within the same line item.
(b) Budget revisions and transfers from the Band's Health, Dental, and Workers' Compensation Internal Service Funds may be approved only if they contain excess funds, after the end-of-fiscal-year reconciliation.

Section 1.12: Distribution of budget. In order to protect Band interests, the Budget (Exhibit A) shall be stored electronically and in hard copy at a location designated by the Revisor of Statutes.

Band members may view a hard copy of the budget, exclusive of government-employee pay rates, in the Legislative Office in the Government Center by presenting a valid Band ID.

Section 1.13: Grant funds. All funds appropriated for federal, state, and private grant funds shall be appropriated to align with the grant term so as to automatically carry over to the next fiscal year if appropriated funds remain and if the grant is not completed within the fiscal year. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state, and private grant funds only after receipt by Band Assembly of the signed award letter from the grantor agency.

Act 19-24

(Band Assembly Bill 21-01-19-24)

Introduced to the Band Assembly on this
Thirteenth day of March in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Thirteenth day of March in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 3/19/24

Melanie Benjamin, Chief Executive

VETO

OFFICIAL SEAL OF THE BAND

MILLE LACS BAND OF OJIBWE
Executive Branch of Tribal Government

March 19, 2024

Speaker of the Assembly Sheldon Boyd
Honorable Members of the Assembly
Mille Lacs Band Assembly
43408 Oodena Drive
Onamia, Minnesota 56359

Dear Speaker Boyd and Honorable Members of the Assembly,

I am in receipt of Band Assembly Bill 21-01-19-24, A Bill of appropriations for government operations for the Mille Lacs Band of Ojibwe for fiscal years ending September 30, 2024 and September 30, 2025.

In accordance with MLBS Title 4, § 16 (c), which provides that the Chief Executive shall have five business days from the date of receipt to either sign the bill into law, or veto the bill and return it to the Band Assembly with a written veto message containing his/her objections to the bill, I hereby veto Band Assembly Bill 21-01-19-24.

In general, this bill again includes language that was new to our budgeting process two years ago, and which is not working for the benefit of Band Members. While it is true that I approved the Band Assembly's similar language two years ago, the unanticipated impact of this new language is that Band business has been slowed down by those provisions and the Title 4 statutory authority of commissioners to run their departments has been compromised, which has caused delays in the ability of the Executive Branch to respond efficiently to urgent matters.

Specifically, the Powers and Duties of Executive Officers contained within MLSB Title 4, §7 that have been weakened by the new provisions include the following:

(c) To authorize the expenditure of all appropriated funds within their subject matter jurisdiction.

(d) To regulate the performance of their duties by all persons employed within their area of subject matter jurisdiction.

(f) To recommend the reorganization of any department within their subject matter jurisdiction as they may deem advisable in the interests of economy or efficiency.

(g) To prescribe procedures for the development of policy in the area under their respective jurisdiction.

(k) To perform any duties as may be lawfully assigned by the Chief Executive.

Sections 1.02, 1.09, and 1.10 propose an extraordinary overreach of the Band Assembly into the Executive Branch by granting the Assembly inappropriate decision-making authority over approved budgets of Executive Branch divisions, as well as power over individual salaries of Executive Branch employees. Many Band employees have had their duly earned salary increases delayed by as much as two years. Individual Band employees, including Band Members, have had their salaries challenged and qualifications questioned in public Band Assembly proceedings, which has had a chilling effect on the workforce and created a negative workforce environment. Some of our highest performing employees have left Band employment due to these issues.

Specifically, Section 1.02 requires even minor line item adjustments in a budget to be approved by Assembly; it further requires salary and wage adjustments of Executive Branch employees to be approved by the Assembly.

Sections 1.09 and 1.10 allow for some flexibility in budget revisions, but even they make exceptions for salary and wages of Executive Branch employees.

In addition to the issues described above, Section 1.07 appears to inappropriately give the Band Assembly the power to require Executive Branch employees who are not Commissioners to appear before the Assembly, which intrudes into the authority of Commissioners to regulate the duties of their employees. While the Band Assembly may request that commissioners appear before the Band Assembly, only Commissioners are statutorily authorized to represent the Executive Branch before the Band Assembly, pursuant to MLBS Title 4, §7 (k). If an employee is the best suited person to respond to certain issues before the Assembly, authority to request or require that the regular employees appear before the Assembly is authority that exclusively belongs to the supervising Commissioner.

As an example of an Appropriation Bill that includes language that I would find acceptable, I am attaching Ordinance 22-20 for your review. The requirements and language included in the 2020 Appropriations Bill is similar to the language that has been used for many years, includes no legislative overreach, does not intrude into the authority of commissioners to manage their departments, and restores a balance of power.

Finally, I also request that we include language that ensures the Band is in compliance with the federal Indian Gaming Regulatory Act (IGRA), which does not allow individual Band Members or groups of Band Members to receive special benefits of a financial value that are not equally available to all Band Members. If a District Representative is going to host community events that include benefits of a financial value such as parties, prizes, or other forms of recreation or entertainment, then net revenue should be appropriated to the District Representatives equally on a per capita basis as determined by the number of constituents in their respective districts. This should be a minimum requirement. Band Members living in one district should not be receiving more recreational benefits than other Band Members purely based on the spending discretion exercised by each District Representative.

I look forward to resolving these issues in a compromise hearing.

Sincerely,

Melanie Benjamin

Melanie Benjamin
Chief Executive

Act 20-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Administration Policy Board on February 26, 2024; and the Commissioner of Natural Resources on March 6, 2024.

The District III Representative introduced the following Bill on the 13th day of March, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch the Fiscal Year ending September 30, 2024.

Section 1.01: Budget revision/transfers. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budgets to cover payroll expenditures as submitted (Memo from the Commissioner of Natural Resources dated March 6, 2024):

Natural Resources 251-5540 $6,752.40– **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budgets to cover payroll expenditures as submitted (Memo from the Commissioner of Natural Resources dated March 6, 2024):

Natural Resources 251-5370 $4,851.20– **Total**

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 20-24

(Band Assembly Bill 21-01-20-24)

Introduced to the Band Assembly on this
Thirteenth day of March in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Thirteenth day of March in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED
Date: March 15, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 21-24

An Act of Supplemental Appropriation for the April, May, June, and July 2024 Tribal Per Capita Distribution for Adults and Minor Trust for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on March 14, 2024.

The District I Representative introduced the following Bill on the 20th day of March, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	Supplemental	Cross-Reference
Legislative Branch		Per Cap spreadsheet (March 12, 2024)
Per Capita Distribution		
Adults 100-1980 Of FY2024 Per Capita Distribution Funds	$10,076,918.00	
Minor Trust 100-1980 Of FY2024 Per Capita Distribution Funds	$3,706,792.00	

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 21-24

(Band Assembly Bill 21-01-21-24)

Introduced to the Band Assembly on this
Twentieth day of March in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twentieth day of March in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: March 22, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 22-24

An Act of Supplemental Appropriation for the April, May, June, and July 2024 Tribal General Welfare Exclusion Act ("TGWEA") Assistance Payment Program for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on March 14, 2024.

The District III Representative introduced the following Bill on the 20th day of March, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Legislative Branch		TGWEA Assistance Payment Memo & documents (March 14, 2024)
Office of Management and Budget		
TGWEA Assistance Payments 100-1990 Of FY2024 Long-term Savings Investment Income Funds	$17,388,578.00	

Section 1.02: Child support. A maximum of ninety-five dollars and 00 cents ($95.00) may be intercepted from each of the of the monthly disbursements, for the payment of ongoing child support obligations or past-due arrearages. The Band's Child Support Enforcement Program is not required to provide any notice to obligors prior to intercepting any funds as described herein.

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 22-24

(Band Assembly Bill 21-01-22-24)

Introduced to the Band Assembly on this
Twentieth day of March in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twentieth day of March in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: March 22, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 23-24

An Act authorizing a supplemental appropriation for the purpose of authorizing expenditures for Mille Lacs Corporate Ventures for the Fiscal Year Ending September 30, 2024.This bill has been drafted based on formal documents submitted by the Commissioner of Corporate Affairs on March 15, 2024.

The District I Representative introduced the following Bill on the 27th day of March, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for Mille Lacs Corporate Ventures for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Mille Lacs Corporate Ventures		Formal Request (dated March 20, 2024)
Bank of America Interest Of FY2024 Long-Term Investment Income Funds	$1,501,530.00	

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 23-24

(Band Assembly Bill 21-01-23-24)

Introduced to the Band Assembly on this
Twenty-seventh day of March in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-seventh day of March in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: March 27, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 24-24

An Act authorizing a supplemental appropriation for the purpose of authorizing expenditures for Mille Lacs Corporate Ventures for the Fiscal Year Ending September 30, 2024.This bill has been drafted based on formal documents submitted by the Commissioner of Corporate Affairs on March 15, 2024.

The District III Representative introduced the following Bill on the 27th day of March, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for Mille Lacs Corporate Ventures for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Mille Lacs Corporate Ventures		Formal Request (March 20, 2024)
Grand Makwa Cinema Of FY2024 Long-Term Investment Income Funds	$15,913.00	
Grand Market Of FY2024 Long-Term Investment Income Funds	$27,726.00	
ML SuperStop Of FY2024 Long-Term Investment Income Funds	$34,057.00	
MLB Gas Of FY2024 Long-Term Investment Income Funds	$81,013.00	
Wewinabi Inc. Of FY2024 Long-Term Investment Income Funds	$133,014.00	
Big Sandy Lodge Of FY2024 Long-Term Investment Income Funds	$139,868.00	

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 24-24

(Band Assembly Bill 21-01-24-24)

Introduced to the Band Assembly on this
Twenty-seventh day of March in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-seventh day of March in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: March 27, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 25-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2024, and September 30, 2025. This bill has been drafted based on formal documents submitted by the Administration Policy Board on March 20, 2024; Health & Human Services Finance on March 11th and 18th, 2024.

The District II Representative introduced the following Bill on the 27th day of March, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Years ending September 30, 2024, and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	Supplemental	Cross-Reference
Executive Branch		Administration Policy Board Minutes (March 14, 2024)
Education		
21st Century Learning 203-3340 Of FY2024 Self-Governance Funds	$28,795.00	Attachment # 7
Community Development		
Community Development Leasing 104-NEW Of FY2024 Permanent Initiative Funds	$120,000.00	Attachment # 8
I.H.S. Grant Program 104-1260 Of a Re-Appropriation of FY2023 Housing Initiative Funds	$115,739.86	Attachment # 9
Natural Resources		
Grid Resiliency 251-NEW Of FY2024 Grant Funds	$201,382.00	Attachment #10

Health & Human Services

Mental Health Block Grant Supplement 222-4395 Of FY2024 Grant Funds	$31,753.00	Attachment # 11
Tribal Victim Set Aside 223-NEW Of FY2024 Grant Funds	$257,025.00	Attachment # 12
American Indian Food Sovereignty 223-NEW Of FY2024 Grant Funds	$257,226.00	Attachment # 13
FDPIR 223-4520 Of FY2024 Grant Funds	$164,091.00	Attachment # 14
Safe Families 224-4870 Of FY2024 Grant Funds	$6,677.00	Attachment # 15
SNAP-ED 221-4080 Of FY2024 Grant Funds	$150,000.00	Attachment # 16
Diabetes 221-4150 Of FY2024 Grant Funds	$131,169.00	Attachment # 17
Public Health Emergency Preparedness 225-4135 Of FY2024 Grant Funds	$5,000.00	Attachment # 18

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a payroll budget revision to move monies within the Nursing budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 1):

Nursing 221-4200 $1,872.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Emergency Services budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 2):

Emergency Services 223-4160; 223-4480; 223-4520 $7,360.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Nursing budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 3):

Food Distribution Program Indian Reservation 223-4520 $19,860.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Substance Use Disorders budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 4):

Substance Use Disorders 222-4610 $5,540.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Overhead budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 5):

Overhead 221-4190 $27,691.20 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Family Services budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 6):

Family Services 224-4840 $14,232.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Family Services budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 6):

Family Services 224-4840 $23,628.80 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Victim Services budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 7):

Victim Services 223-4175 $3,794.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Nursing budget as submitted (Memo from Health & Human Services Finance dated March 18, 2024 # 8):

Nursing 221-4200 $4,942.40 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 25-24

(Band Assembly Bill 21-01-25-24)

Introduced to the Band Assembly on this
Twenty-seventh day of March in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-seventh day of March in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: March 27, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 26-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive and Legislative Branches for the Fiscal Years ending September 30, 2024, and September 30, 2025. This bill has been drafted based on formal documents submitted by the Administration Policy Board on March 29, 2024; by the Office of Management and Budget on March 29, 2024, and April 4, 2024; and Health & Human Services Finance on April 4, 2024.

The District III Representative introduced the following Bill on the 10th day of April, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive and Legislative Branches for the Fiscal Years ending September 30, 2024, and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (March 28, 2024)
Health & Human Services		
Medical Providers 221-4170 Of a Re-Appropriation of FY2022 Self-Governance Funds	$668,004.70	Attachment # 5
HHS I.T. 221-4130 Of a Re-Appropriation of FY2023 Self-Governance Funds	$500,000.00	Attachment # 6
NIS Overhead 221-4190 Of a Re-Appropriation of FY2023 Self-Governance Funds	$500,000.00	Attachment # 6
Optometry 221-4260 Of a Re-Appropriation of FY2023 Self-Governance Funds	$193,338.99	Attachment # 6

Legislative Branch

Memo from
Commissioner of Finance
(March 29, 2024)

Office of Management and Budget

ARPA SLFRF 100-1930
Of a Re-Appropriation of
ARPA SLFRF Funds $71,146.10

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: budget revision to move monies within the OVC Tribal Set Aside budget with granting agency approval as submitted (Attachment # 4):

OCV Tribal Set Aside 223-4910 $157,151.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Pharmacy budget as submitted (Memo from Health & Human Services Finance dated April 4, 2024):

Pharmacy 221-4240 $12,084.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Pharmacy budget as submitted (Memo from Health & Human Services Finance dated April 4, 2024):

Pharmacy 221-4240 $18,584.80 – **Total**

FY2024 Legislative: a payroll budget revision to move monies within the Office of Management and Budget, budget as submitted (Memo from the Commissioner of Finance dated April 4, 2024):

Office of Management and Budget 101-2100 $85,270.40 – **Total**

FY2025 Legislative: a payroll budget revision to move monies within the Office of Management and Budget, budget as submitted (Memo from the Commissioner of Finance dated April 4, 2024):

Office of Management and Budget 101-2100 $132,126.59 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the

expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 26-24

(Band Assembly Bill 21-01-26-24)

Introduced to the Band Assembly on this
Tenth day of April in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Tenth day of April in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: April 11, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 27-24

An Act Repealing and Replacing Act 25-24 to remove the Tribal Victim Set Aside request. Act 25-24 authorized Supplemental Appropriations for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2024, and September 30, 2025. This bill has been drafted based on formal documents submitted by the Administration Policy Board on March 20, 2024; Health & Human Services Finance on March 11th and 18th, 2024.

The District II Representative introduced the following Bill on the 10th day of April, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Years ending September 30, 2024, and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	Supplemental	Cross-Reference
Executive Branch		Administration Policy Board Minutes (March 14, 2024)
Education		
21st Century Learning 203-3340 Of FY2024 Self-Governance Funds	$28,795.00	Attachment # 7
Community Development		
Community Development Leasing 104-NEW Of FY2024 Permanent Initiative Funds	$120,000.00	Attachment # 8
I.H.S. Grant Program 104-1260 Of a Re-Appropriation of FY2023 Housing Initiative Funds	$115,739.86	Attachment # 9
Natural Resources		
Grid Resiliency 251-NEW Of FY2024 Grant Funds	$201,382.00	Attachment #10

Health & Human Services

Mental Health Block Grant Supplement 222-4395 Of FY2024 Grant Funds	$31,753.00	Attachment # 11
American Indian Food Sovereignty 223-NEW Of FY2024 Grant Funds	$257,226.00	Attachment # 13
FDPIR 223-4520 Of FY2024 Grant Funds	$164,091.00	Attachment # 14
Safe Families 224-4870 Of FY2024 Grant Funds	$6,677.00	Attachment # 15
SNAP-ED 221-4080 Of FY2024 Grant Funds	$150,000.00	Attachment # 16
Diabetes 221-4150 Of FY2024 Grant Funds	$131,169.00	Attachment # 17
Public Health Emergency Preparedness 225-4135 Of FY2024 Grant Funds	$5,000.00	Attachment # 18

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a payroll budget revision to move monies within the Nursing budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 1):

Nursing 221-4200 $1,872.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Emergency Services budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 2):

Emergency Services 223-4160; 223-4480; 223-4520 $7,360.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Nursing budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 3):

Food Distribution Program Indian Reservation 223-4520 $19,860.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Substance Use Disorders budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 4):

Substance Use Disorders 222-4610 $5,540.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Overhead budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 5):

Overhead 221-4190 $27,691.20 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Family Services budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 6):

Family Services 224-4840 $14,232.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Family Services budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 6):

Family Services 224-4840 $23,628.80 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Victim Services budget as submitted (Memo from Health & Human Services Finance dated March 11, 2024 # 7):

Victim Services 223-4175 $3,794.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Nursing budget as submitted (Memo from Health & Human Services Finance dated March 18, 2024 # 8):

Nursing 221-4200 $4,942.40 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 27-24

(Band Assembly Bill 21-01-27-24)

Introduced to the Band Assembly on this
Tenth day of April in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Tenth day of April in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: April 11, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 28-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive and Legislative Branches for the Fiscal Years ending September 30, 2024, and September 30, 2025. This bill has been drafted based on formal documents submitted by Health & Human Services Finance on April 8, 2024; Administration Policy Board on April 11, 2024; the Commissioner of Natural Resources on April 17, 2024; and the Commissioner of Finance on April 19, 2024.

The District I Representative introduced the following Bill on the 24th day of April, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive and Legislative Branches for the Fiscal Years ending September 30, 2024, and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (April 11, 2024)
Administration		
Esser Summer Enrichment 281-6771 Of FY2024 Grant Funds	$125,000.00	Attachment # 4
Natural Resources		
Air (CAA103) 251-5410 Of FY2024 Grant Funds	$30,231.00	Attachment # 5
Health & Human Services		
Family First Prevention Services Allocation 224-NEW Of FY2024 Grant Funds	$257,500.00	Attachment # 6
Cultural Advisor Program 221-NEW Of FY2024 Miscellaneous Revenue Funds	$171,945.44	Attachment # 7

Legislative		Memo from Commissioner of Finance (April 19, 2024)
OMB 101-2100 Of FY2024 Unspent/Net Revenue Funds	$35,000.00	
Tribal Operations Fiscal Year 2025	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (April 11, 2024)
Health & Human Services		
Cultural Advisor Program 221-NEW Of FY2025 Miscellaneous Revenue Funds	$335,036.00	Attachment # 7

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a payroll budget revision to move monies within the Optometry budget as submitted (Memo from Health & Human Services Finance dated April 11, 2024):

Optometry 221-4260 $5,600.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Optometry budget as submitted (Memo from Health & Human Services Finance dated April 11, 2024):

Optometry 221-4260 $11,960.00 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo from Commissioner of Natural Resources dated April 17, 2024):

Natural Resources 251-5540 $17,732.00 – **Total**

FY2025 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo from Commissioner of Natural Resources dated April 17, 2024):

Natural Resources 251-5540 $43,169.36 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 28-24

(Band Assembly Bill 21-01-28-24)

Introduced to the Band Assembly on this
Twenty-fourth day of April in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-fourth day of April in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: April 24, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 30-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive and Legislative Branches for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by Administration Policy Board on May 3, 2024; the Commissioner of Education on May 3, 2024; and the Powwow Committee on May 10, 2024.

The District I Representative introduced the following Bill on the 15th day of May, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive and Legislative Branches for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (April 25, 2024)
Education		
Head Start Federal 202-3500 Of FY2024 Grant Funds	$408,918.88	Attachment # 5
Early Head Start 202-3570 Of FY2024 Grant Funds	$1,232,730.65	Attachment # 6
Hinckley Head Start Construction 202-3645 Of a Re-Appropriation of FY2023 ARPA SLFRF Funds	$921,595.06	Attachment # 7
Title VI 203-3120 Of FY2024 Grant Funds	$46,594.00	Attachment # 8
Community Development		
D2 East Lake & D3 Housing Warehouse Renovations 3xx-0000 Of FY2024 Permanent Initiative Funds	$3,608,274.59	Attachment # 9

Natural Resources

Gulf Hypoxia 251-NEW Of FY2024 Grant Funds	$180,337.00	Attachment # 10
DNR General 251-5300 Of FY2024 Permanent Initiative Funds	$120,000.00	Attachment # 11
DNR General 251-5300 Of FY2024 Permanent Initiative Funds	$21,000.00	Attachment # 12
DNR General 251-2300 Of FY2024 Permanent Initiative Funds	$110,000.00	Attachment # 13
Land Management 251-5950 Of FY2024 Permanent Initiative Funds	$680,177.00	Attachment # 14
Health & Human Services		
Child Advocacy Center 221-NEW Of FY2024 ARPA SLFRF Funds	$425,000.00	Attachment # 15
Legislative Branch		
District I Powwow 101-1070 Of FY2024 Permanent Initiative Funds	$55,000.00	Memo from Tony Pike, Powwow Committee (May 10, 2024)

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Natural Resources: a budget transfer from Land Management to the Environmental Initiatives budgets due to the Project Manager and Land Coordinator now reporting to the Director of Operations as submitted (Attachment # 4):

Land Management 251-5950	($163,756.00) to
Environmental Initiatives 251-5370	$163,756.00

FY2024 Education: a payroll budget revision to move monies within the Mille Lacs Early Ed budget as submitted (Memo from the Commissioner of Education dated May 3, 2024):

Mille Lacs Early Ed 202-3560	$8,112.00 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to

exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 30-24

(Band Assembly Bill 21-01-30-24)

Introduced to the Band Assembly on this
Fifteenth day of May in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fifteenth day of May in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: May 16, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 31-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by Administration Policy Board on May 13, 2024.

The District III Representative introduced the following Bill on the 22nd day of May, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (May 9, 2024)
Health & Human Services		
American Indian Food Sovereignty 223-4475 Of FY2024 Grant Funds	$257,225.00	Attachment # 7
Substance Abuse Prevention Treatment & Aftercare 222-4390 Of FY2024 Grant Funds	$305,365.00	Attachment # 8
Natural Resources		
PPG 251-5730 Of FY2024 Grant Funds	$282,475.00	Attachment # 9
Administration		
Long-term Homeless Support Services Fund 281-6250 Of FY2024 Grant Funds	$151,732.74	Attachment # 10

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a budget revision to move monies within the Child Welfare Initiative budget as submitted (Attachment # 4):

Child Welfare Initiative 224-4865 $412,000.00– **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 31-24

(Band Assembly Bill 21-01-31-24)

Introduced to the Band Assembly on this
Twenty-second day of May in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-second day of May in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: May 28, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 32-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Administration Policy Board on May 13, 2024, and May 31, 2024.

The District I Representative introduced the following Bill on the 5th day of June, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (May 22, 2024)
Community Development		
Weatherization WAPDOE 271-2930 Of FY2024 Grant Funds	$42,390.32	Attachment # 2
Weatherization BIL 271-2960 Of FY2024 Grant Funds	$11,142.00	Attachment # 3
Weatherization WX 271-2920 Of FY2024 Grant Funds	$3,288.00	Attachment # 4
Housing Initiative Loans 108-2340 Of FY2024 Housing Initiative Funds	$1,600,000.00	Administration Policy Board Minutes (May 9, 2024) Attachment #6

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 32-24

(Band Assembly Bill 21-01-32-24)

Introduced to the Band Assembly on this
Fifth day of June in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fifth day of June in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: June 6, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 33-24

An Act amending sections 1 and 2 of Title 25 to allow the Revisor of Statutes to correct clerical errors in measures and defining what constitutes a "clerical error" and "measure" for purposes of this title.

The District I Representative introduced the following Bill on the 5th day of June, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Amending 25 MLBS § 2 to add two new definitions.

(f) **"Clerical error"** means a manifest clerical, typographical, punctuation, grammatical, or spelling mistake in the preparation, assembly, or submission of any measure that does not alter the sense, meaning, or effect of said measure.

(i) **"Measure"** means a bill, resolution, Legislative Order, amendment, Act, or any legislation under consideration by the Band Assembly. For purposes of this title appropriations bills are not measures.

Section 2. Amending 25 MLBS § 4 to add a new subsection.

(h) **Corrections**. The Revisor has authority to correct clerical errors in any measure within 30 calendar days of final approval. The Revisor shall provide notice of the change to the Chief Executive, the Speaker of the Assembly, and each District Representative within three (3) business days of the correction.

EFFECTIVE DATE. This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.

Act 33-24
(Band Assembly Bill 21-01-33-24)

Introduced to the Band Assembly on this
Fifth day of June in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fifth day of June in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: June 7, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 34-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Gaming Regulatory Authority and Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Assistant Commissioner of Administration on April 19, 2024; Gaming Regulatory Authority Executive Director on June 11, 2024; and Administration Policy Board on June 20, 2024.

The District II Representative introduced the following Bill on the 26th day of June, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch and Gaming Regulatory Authority for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	Supplemental	Cross-Reference
Executive Branch		Administration Policy Board Minutes (June 13, 2024)
Department of Justice – Tribal Police		
Intensive Comprehensive Peace Officer Education and Training Grant 105-NEW Of FY2024 Grant Funds	$50,000.00	Attachment # 4
Education		
21st Century 203-3340 Of FY2024 Grant Funds	$9,000.00	Attachment # 5
Health & Human Services		
Circle of Health 100-2330 Of FY2024 Grant Funds	$30,000.00	Attachment # 6
Community Crime Intervention & Prevention 223-NEW Of FY2024 Grant Funds	$500,000.00	Attachment # 7

Family Preservation Program 224-4867 Of a Re-Appropriation of FY2023 ARPA SLFRF Funds	$503,547.00	Attachment # 8
Safe Families 224-4870 Of FY2024 Grant Funds	$12,019.00	Attachment # 9
D2 HHS Building 221-NEW Of FY2024 Permanent Initiative Funds	$300,000.00	Attachment # 10
Natural Resources		
AIR-CAA 103 251-5410 Of FY2024 Grant Funds	$84,951.00	Attachment # 11

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a payroll budget revision to move monies within the Overhead budget as submitted (Memo dated June 5, 2024 from the Health & Human Services Finance):

Overhead 221-4190 $13,022.40– **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Overhead budget as submitted (Memo dated June 5, 2024 from the Health & Human Services Finance):

Overhead 221-4190 $47,142.78– **Total**

FY2024 Gaming Regulatory Authority: a payroll budget revision to move monies within the Compliance budget as submitted (Memo dated May 14, 2024, received June 11, 2024, from the Executive Director of GRA):

Compliance 106-1880 $23,865.38– **Total**

FY2025 Gaming Regulatory Authority: a payroll budget revision to move monies within the Compliance budget as submitted (Memo dated May 14, 2024, received June 11, 2024, from the Executive Director of GRA):

Compliance 106-1880 $75.190.00– **Total**

FY2024 Community Development: a payroll budget revision to move monies within the Environmental Services budget as submitted (Memo originally submitted and dated February 23, 2024, re-submitted April 19, 2024, from the Assistant Commissioner of Administration):

Environmental Services 104-2010 $624,952.00– **Total**

FY2025 Community Development: a payroll budget revision to move monies within the Environmental Services budget as submitted (Memo originally submitted and dated February 23, 2024, re-submitted April 19, 2024, from the Assistant Commissioner of Administration):

Environmental Services 104-2010 $859,038.13– **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 34-24

(Band Assembly Bill 21-01-34-24)

Introduced to the Band Assembly on this
Twenty-sixth day of June in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-sixth day of June in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: June 27, 2024

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 35-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Administration Policy Board on June 28, 2024; and Health & Human Services Finance on June 27, 2024 and July 1, 2024.

The District III Representative introduced the following Bill on the 9th day of July, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (June 27, 2024)
Natural Resources		
Circle of Flight 251-5360 Of FY2024 Grant Funds	$29,843.00	Attachment # 3
Education		
MLEE Federal Head Start 202-3500 Of FY2024 Grant Funds	$16,967.00	Attachment # 4
MLEE Federal Early Head Start 202-3570 Of FY2024 Grant Funds	$50,631.00	Attachment # 5
Administration		
Cares Welfare Assistance 281-6150 Of FY2024 Self-Governance Funds	$206,670.00	Attachment # 6
Aanjibimaadizing PL477 281-6770 Of FY2024 Self-Governance Funds	$69,147.00	Attachment # 7

Health & Human Services

Psychiatry 222-4425 Of FY2024 Miscellaneous Billing Revenue Funds	$1,346,400.00	Attachment # 8
State Mental Health 222-4660 Of FY2024 Grant Funds	$250,001.00	Attachment # 9
Home Visit – TANF 225-4580 Of FY2024 Grant Funds	$80,662.00	Attachment # 10
MC Health 225-4410 Of FY2024 Grant Funds	$46,250.88	Attachment # 11
Health Disparities 225-4570 Of FY2024 Grant Funds	$66,865.59	Attachment # 12
Public Health Flex Grant 225-4600 Of FY2024 Grant Funds	$31,871.93	Attachment # 13
Diabetes 221-4150 Of FY2024 Grant Funds	$131,169.00	Attachment # 14

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a payroll budget revision to move monies within the Lab budget as submitted (Memo dated June 27, 2024 from Health & Human Services Finance):

Lab 221-4180 $20,720.00– **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Lab budget as submitted (Memo dated June 27, 2024 from Health & Human Services Finance):

Lab 221-4180 $79,268.80– **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Sexual Assault Grant budget as submitted (Memo dated June 27, 2024 from Health & Human Services Finance):

Sexual Assault Grant 223-4175 $12,880.00– **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Sexual Assault Grant budget as submitted (Memo dated June 27, 2024 from Health & Human Services Finance):

Sexual Assault Grant 223-4175 $49,275.20– **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the CWTCM budget as submitted (Memo dated June 27, 2024 from Health & Human Services Finance):

CWTCM 224-4760 $2,339.20– **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the CWTCM budget as submitted (Memo dated June 27, 2024 from Health & Human Services Finance):

CWTCM 224-4760 $7,361.54– **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Foster Care budget as submitted (Memo dated June 27, 2024 from Health & Human Services Finance):

Foster Care 224-4680 $3,921.60– **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Foster Care budget as submitted (Memo dated June 27, 2024 from Health & Human Services Finance):

Foster Care 224-4680 $13,493.58– **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Chemical Dependency budget as submitted (Memo dated July 1, 2024 from Health & Human Services Finance):

Chemical Dependency 222-4620 $19,245.20– **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Chemical Dependency budget as submitted (Memo dated July 1, 2024 from Health & Human Services Finance):

Chemical Dependency 222-4620 $79,290.22– **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Elder Energy budget as submitted (Memo dated July 1, 2024 from Health & Human Services Finance):

Elder Energy 223-4590 $1,040.00– **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Elder Energy budget as submitted (Memo dated July 1, 2024 from Health & Human Services Finance):

Elder Energy 223-4590 $4,284.80– **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to

exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 35-24

(Band Assembly Bill 21-02-35-24)

Introduced to the Band Assembly on this
Ninth day of July in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Ninth day of July in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 7-16-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 36-24

An Act authorizing a re-appropriation for the purpose of authorizing expenditures for Mille Lacs Corporate Ventures for the Fiscal Year Ending September 30, 2024.This bill has been drafted based on formal documents submitted by the Commissioner of Corporate Affairs on June 28, 2024.

The District I Representative introduced the following Bill on the 9th day of July, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby re-appropriates and authorizes expenditures for Mille Lacs Corporate Ventures for the Fiscal Years ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Mille Lacs Corporate Ventures		Formal Request dated July 2, 2024
ARPA SLFRF Of a Re-Appropriation of FY23 ARPA SLFRF Funds	$7,227,362.67	

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 36-24

(Band Assembly Bill 21-02-36-24)

Introduced to the Band Assembly on this
Ninth day of July in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-fourth day of July in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 8-1-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 37-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing budget revision(s)/transfer(s) for the Executive, Legislative and Judicial Branches for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Director of Information Systems on July 3, 2024; Commissioner of Finance on July 11, 2024; Health & Human Services Finance on July 11, 2024; the Commissioner of Natural Resources on July 12, 2024; and the Court Administrator on July 12, 2024.

The District I Representative introduced the following Bill on the 17th day of July, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive, Legislative and Judicial Branches for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Administration: a payroll budget revision to move monies within the Information Systems budget as submitted (Memo dated July 3, 2024 from the Director of Information Systems):

Information Systems 107-2250 $8,964.00– **Total**

FY2025 Administration: a payroll budget revision to move monies within the Information Systems budget as submitted (Memo dated July 3, 2024 from the Director of Information Systems):

Information Systems 107-2250 $26,676.21– **Total**

FY2024 Legislative: a payroll budget revision to move monies within the D1 Community Center budget as submitted (Memo dated July 11, 2024 from the Commissioner of Finance on behalf of the former District 1 Office Manager):

D1 Community Center 101-1085 $1,289.60– **Total**

FY2025 Legislative: a payroll budget revision to move monies within the D1 Community Center budget as submitted (Memo dated July 11, 2024 from the Commissioner of Finance on behalf of the former District 1 Office Manager):

D1 Community Center 101-1085 $1,505.92– **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Overhead budget as submitted (Memo dated July 11, 2024 from Health & Human Services Finance):

Overhead 221-4190 $9,200.00– **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Overhead budget as submitted (Memo dated July 11, 2024 from Health & Human Services Finance):

Overhead 221-4190 $49,275.20– **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Dental budget as submitted (Memo dated July 11, 2024 from Health & Human Services Finance):

Dental 221-4250 $1,008.00– **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Dental budget as submitted (Memo dated July 11, 2024 from Health & Human Services Finance):

Dental 221-4250 $5,408.00– **Total**

FY2024 Judicial: a payroll budget revision to move monies within the Mille Lacs Tribal Court budget as submitted (Memo dated July 11, 2024 from the Court Administrator):

Mille Lacs Tribal Court 103-1500 $7,302.40– **Total**

FY2025 Judicial: a payroll budget revision to move monies within the Mille Lacs Tribal Court budget as submitted (Memo dated July 11, 2024 from the Court Administrator):

Mille Lacs Tribal Court 103-1500 $5,530.40– **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated July 18, 2024 from the Commissioner of Natural Resources):

Natural Resources 251-5300 $52,315.20– **Total**

FY2025 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated July 18, 2024 from the Commissioner of Natural Resources):

Natural Resources 251-5300 $53,878.00– **Total**

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 37-24

(Band Assembly Bill 21-02-37-24)

Introduced to the Band Assembly on this
Seventeenth day of July in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Seventeenth day of July in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 7-23-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 38-24

An Act of Appropriation for Governmental Operations of the Executive, Legislative, and Judicial Branches; Circle of Health; Gaming Regulatory Authority; Department of Athletic Regulation; Supplemental Income Program for Elders; Tribal Employment Rights Office; and Band Member Legal Services of the Mille Lacs Band Tribal Government for fiscal years ending September 30, 2024, and September 30, 2025. This bill has been drafted based on formal documents submitted by the Office of Management and Budget and the Commissioner of Administration.

The District II Representative introduced the following Bill on the 24th day of July, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for Governmental Operations for the Fiscal Years ending September 30, 2024, and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures detailed in "Exhibit A," which is incorporated herein as the budget for Fiscal Years 2024 and 2025.

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded within any line item unless otherwise permitted by Band law. Funds must be utilized for the purposes for which they were requested, notwithstanding any exceptions provided in this Bill or any other active Band law. No expenditure that causes a budget line item to be exceeded may be paid without further Band Assembly action, except that the Office of Management and Budget leadership is authorized to exercise reasonable discretion regarding line item budget overages such as to avoid unintended outcomes that would result in an adverse impact to the Band. Examples include, but are not limited to: paying a utility bill to avoid discontinuance of service/utility shut-offs; paying on an invoice to prevent incurrence of late payment charges; and, authorizing expenditures for emergency situations such as a broken water main or heating unit. Salary and wages are only permitted to be expended for the Position Titles listed in the budget (Exhibit A), at the corresponding hourly rates or below, unless approved through the Payroll Budget Revision process.

Section 1.03: Certain grants and contracts excluded. Specifically excluded from this Bill are any grants or contracts not listed in the budget (Exhibit A).

Section 1.04: Supplemental appropriations. Any increase in funding to any grant or contract listed in the attached fiscal year budget, or any newly received grant or contract, shall be subject to supplemental appropriation by the Band Assembly prior to any expenditure of these funds.

Section 1.05: Decreases in funding. Any decrease in funding to any grant or contract already budgeted shall automatically result in an equal decrease in the approved appropriation and, upon

notification of the decrease by the appropriate grant agency, shall be subject to action by the Band Assembly to decrease the specific appropriation.

Section 1.06: Indirect costs. Indirect costs shall be collected for the particular programs based on the current rate approved by the United States Department of Interior and/or Office of Inspector General, unless limited to a lesser rate by applicable federal and/or state regulations.

Section 1.07: Quarterly progress reports. Quarterly progress reports shall be presented to the Band Assembly by all Commissioners and program leaders, or their designees, for their respective programs. The Band Assembly shall notify the office of the Chief Executive and the office of each Commissioner and program leader is required to appear before the Band Assembly at least five (5) full days prior to the Commissioner's or program leader's scheduled appearance.

Section 1.08: End of fiscal year. Except as otherwise exempted, all appropriations shall lapse at the end of each fiscal year.

Section 1.09: Budget revisions equal to or less than $10,000.00 per month. The Band Assembly hereby authorizes the Chief Executive, Secretary-Treasurer, District Representatives, Commissioners, Assistant Commissioner, Solicitor General, Chief Justice, Band Member Legal Services Managing Attorney, and Directors of the Gaming Regulatory Authority, Department of Athletic Regulation, and Tribal Employment Rights Office to approve budgetary revisions within programs, exclusive of salary and wage revisions, equal to or less than $10,000.00 per month, provided that the budget revisions are allowable under grant provisions, if applicable, and that sufficient funds are available for the budget revisions.

Section 1.10: Budget revisions greater than $10,000.00 per month. For budget revisions greater than $10,000.00 per month, the Band Assembly hereby authorizes the Administration Policy Board (APB) to approve Executive Branch budget revisions within programs, exclusive of salary and wage revisions, of up to 50 percent (50%) of the total program's budget if the program is less than $100,000.00 and up to 20 percent (20%) if the program is equal to or greater than $100,000.00. Chief Executive budget revisions do not require approval by APB and instead are routed directly from the Chief Executive to Band Assembly. Budget revisions in excess of $10,000.00 outside of the Executive Branch, do not require approval by APB, and instead are routed directly to Band Assembly. Budgetary revisions in excess of these thresholds must be approved by Band Assembly through an appropriation bill and enacted into law by the Chief Executive.

Section 1.11: Budget revisions and transfers of Internal Service Funds.

(a) For non-grant funded programs, budget revisions from health insurance (line item 4105), dental insurance (line item 4108), and workers' compensation (line item 4109) are prohibited except as provided in subsection b. Budget transfers from health insurance (line item 4105), dental insurance (line item 4108), and workers' compensation (line item 4109) are permitted only to cover program shortages within the same line item.
(b) Budget revisions and transfers from the Band's Health, Dental, and Workers' Compensation Internal Service Funds may be approved only if they contain excess funds, after the end-of-fiscal-year reconciliation.

Section 1.12: Distribution of budget. In order to protect Band interests, the Budget (Exhibit A) shall be stored electronically and in hard copy at a location designated by the Revisor of Statutes.

Band members may view a hard copy of the budget, exclusive of government-employee pay rates, in the Legislative Office in the Government Center by presenting a valid Band ID.

Section 1.13: Grant funds. All funds appropriated for federal, state, and private grant funds shall be appropriated to align with the grant term so as to automatically carry over to the next fiscal year if appropriated funds remain and if the grant is not completed within the fiscal year. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state, and private grant funds only after receipt by Band Assembly of the signed award letter from the grantor agency.

Act 38-24

(Band Assembly Bill 21-02-38-24)

Introduced to the Band Assembly on this
Twenty-fourth day of July in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-fourth day of July in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: _____

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

VETO

8-1-24

Virgil Wind, Chief Executive **Date**

Mille Lacs Band of Ojibwe Indians

Executive Branch of Tribal Government
Office of the Chief Executive

August 1, 2024

Hand-Delivered

Sheldon Boyd, Speaker of the Assembly
Carolyn Beaulieu, District I Representative
Wendy Merrill, District II Representative
Harry Davis, District III Representative

Re: Veto of Band Assembly Act 38-24

Dear Honorable Members of the Band Assembly:

I am in receipt of Band Assembly Act 38-24, An Act of Appropriation for Governmental Operations of the Executive, Legislative, and Judicial Branches; Circle of Health; Gaming Regulatory Authority; Department of Athletic Regulation; Supplemental Income Program for Elders; Tribal Employment Rights Office; and Band Member Legal Services for the Mille Lacs Band Tribal Government for fiscal years ending September 30, 2024, and September 30, 2025. After careful consideration, I have decided to apply my veto in accordance with 3 MLBS § 17(c).

The purpose for my veto is narrow. Namely, the biennium budget is based on estimated casino distributions of $36,842,782 for FY 2024 and $37,753,605 for FY 2025. My understanding is that Grand Casinos Mille Lacs and Hinckley are estimated to produce approximately $117 million in distribution for FY 2024 and $123.8 million for FY 2025. This means that, after applying the Revenue Allocation Plan's 25 percent allocation for base government spending, tribal government can count on approximately $29,250,000 in casino distributions per year. I am concerned that, if I sign this budget as presented, it will create a shortfall of more than $7 million for FY 2024 and more than $6 million for FY 2025. I propose that we address this potential problem now rather than later.

I would also like to see that the budget, as summarized in Exhibit A, reflect how each funding source is being used. These funding sources include Economic Development, Housing Initiative, Investment Income, Permanent Initiative, etc.

Thank you for hearing my concerns, and I look forward to resolving this matter at our compromise hearing.

Sincerely,

Virgil Wind
Chief Executive

Mille Lacs Band of Ojibwe
FY2024 Budget Request
Submitted: 3/4/2024

FY2024 Summary

	Chief Executive	Legislative	Judicial	Administration & AanjiBimaadizing	Education	Natural Resources	Department of Justice	Comm. Dev. & Housing	Health & Human Services	2024 Budget Totals	Circle of Health	Gaming Reg. Authority	Department of Athletic Reg.	Elder Supplemental	TERO	BMLS	Aggregate Total
	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget		2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget
[redacted]																	

Mille Lacs Band of Ojibwe
FY2025 Budget Request
Submitted: 3/4/2024

FY2025 Summary

	Chief Executive	Legislative	Judicial	Administration & AanjiBimaadizing	Education	Natural Resources	Department of Justice	Comm. Dev. & Housing	Health & Human Services	2025 Budget Totals	Circle of Health	Gaming Reg. Authority	Department of Athletic Reg.	Elder Supplemental	TERO	BMLA	Aggregate Total
	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget		2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	**2025 Budget**

[redacted]

Act 39-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch and Gaming Regulatory Authority for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Administration Policy Board on July 16, 2024; the Executive Director of Gaming Regulatory Authority on July 17, 2024; and the Tribal Police Office Manager on July 19, 2024.

The District III Representative introduced the following Bill on the 24th day of July, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch and Gaming Regulatory Authority for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (July 11, 2024)
Natural Resources		
Forestry 251-5490 Of FY2024 Self-Governance Funds	$189,496.85	Attachment # 2
Land Acquisitions 251-5990 OF FY2024 Permanent Initiative Funds	$249,000.00	Attachment # 3
Administration		
Aanjibimaadizing Adult Basic Education 281-6235 Of FY2024 Grant Funds	$28,152.59	Attachment # 4
Health & Human Services		
Public Health Infrastructure 225-4835 Of FY2024 Grant Funds	$134,070.00	Attachment # 5
Social Nutrition 223-4510 Of FY2024 Grant Funds	$63,418.00	Attachment # 6

Elder Nutrition 223-4060 Of FY2024 Grant Funds	$22,831.00	Attachment # 7
MDH Safe Harbor State 223-4735 Of FY2024 Grant Funds	$70,000.00	Attachment # 8

Education

MDE Indigenous Education for All 203-3270 Of FY2024 Grant Funds	$36,250.00	Attachment # 9

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Gaming Regulatory Authority: a payroll budget revision to move monies within the Surveillance budget as submitted (Memo dated July 17, 2024, from the Executive Director of GRA):

Surveillance 106-1860	$686.40 – **Total**

FY2024 Department of Justice: a payroll budget revision to update the positions within the Tribal Police budget as submitted (Memo dated July 19, 2024, from the Tribal Police Office Manager):

Tribal Police 105-1600	$0.00 – **Total**

FY2025 Department of Justice: a payroll budget revision to update the positions within the Tribal Police budget as submitted (Memo dated July 19, 2024, from the Tribal Police Office Manager):

Tribal Police 105-1600	$0.00 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 39-24

(Band Assembly Bill 21-02-39-24)

Introduced to the Band Assembly on this
Twenty-fourth day of July in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-fourth day of July in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 8-1-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 40-24

An Act of Supplemental Appropriation for the August and September 2024 Tribal Per Capita Distribution for Adults and Minor Trust for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on July 22, 2024.

The District I Representative introduced the following Bill on the 24th day of July, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Legislative Branch		Per Cap spreadsheet (July 22, 2024)
Per Capita Distribution		
Adults 100-1980 Of FY2024 Per Capita Distribution Funds	$5,287,040.00	
Minor Trust 100-1980 Of FY2024 Per Capita Distribution Funds	$3,713,548.00	
Postage & Miscellaneous 100-1980 Of FY2024 Unspent/Net Revenue Funds	$50,000.00	

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 40-24

(Band Assembly Bill 21-02-40-24)

Introduced to the Band Assembly on this
Twenty-fourth day of July in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-fourth day of July in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 8-1-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 41-24

An Act of Supplemental Appropriation for the August and September 2024 Tribal General Welfare Exclusion Act ("TGWEA") Assistance Payment Program for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on July 23, 2024.

The District III Representative introduced the following Bill on the 24th day of July, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Legislative Branch		TGWEA Assistance Payment Memo & documents (July 22, 2024)
Office of Management and Budget		
TGWEA Assistance Payments 100-1990 Of FY2024 Tax Revenue Funds	$2,114,145.00	
TGWEA Assistance Payments 100-1990 Of FY2024 Long-term Savings Investment Income Funds	$9,370,529.00	

Section 1.02: Child support. A maximum of ninety-five dollars and 00 cents ($95.00) may be intercepted from each of the of the monthly disbursements, for the payment of ongoing child support obligations or past-due arrearages. The Band's Child Support Enforcement Program is not required to provide any notice to obligors prior to intercepting any funds as described herein.

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 41-24

(Band Assembly Bill 21-02-41-24)

Introduced to the Band Assembly on this
Twenty-fourth day of July in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-fourth day of July in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 8-1-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 42-24

An Act authorizing a supplemental appropriation for the purpose of authorizing expenditures for Mille Lacs Corporate Ventures for the Fiscal Year Ending September 30, 2024.This bill has been drafted based on formal documents submitted by the Commissioner of Corporate Affairs on July 18, 2024.

The District II Representative introduced the following Bill on the 1st day of August, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for Mille Lacs Corporate Ventures for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Mille Lacs Corporate Ventures		Formal Request dated July 19, 2024
Grand Makwa Cinema Of FY2024 Long-Term Investment Income Funds	$24,278.00	
Grand Market Of FY2024 Long-Term Investment Income Funds	$52,729.00	
ML SuperStop Of FY2024 Long-Term Investment Income Funds	$0	
MLB Gas Of FY2024 Long-Term Investment Income Funds	$0	
Wewinabi Inc. Of FY2024 Long-Term Investment Income Funds	$106,986.00	
Big Sandy Lodge Of FY2024 Long-Term Investment Income Funds	$80,000.00	

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 42-24

(Band Assembly Bill 21-02-42-24)

Introduced to the Band Assembly on this
First day of August in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
First day of August in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 8-8-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 43-24

An Act amending Title 17, chapter 1 to update the Revolving Loan Fund language and remove the Loan Committee.

The District III Representative introduced the following Bill on the 1st day of August, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Amending Title 17, Chapter 1.

CHAPTER 1

REVOLVING LOAN FUND

Section

1. Reservation of Right Amendment.
~~2. Retrospective Law.~~
~~3. Loan Committee Establishment and Purpose.~~
~~4. Committee Membership, Terms of Office and Salary.~~
~~5. Officers.~~
~~6. Loan Committee Meetings.~~
~~7.~~2. Policies.
~~8. Powers and Duties of the Board.~~
3. Powers and Duties of the Office of Management and Budget.
~~9.~~4. Powers and Duties of the Commissioner of Finance.
~~10.~~5. Reports and Audits.
~~11.~~6. Suspension and Operation.
~~12.~~7. ~~Court of Central Jurisdiction~~Sovereign Immunity.
~~13.~~8. Solicitor General Obligation.
~~14.~~9. Fund Authorization.

§ 1. Reservation of Right of Amendment.

The Band Assembly hereby fully reserves the right to alter, amend or repeal the several provisions of this Chapter, and all rights and privileges granted or extended hereunder shall be subject to such reserved right.

~~**§ 2. Retrospective Law.**~~

~~This Chapter shall apply retroactively to all previous loans disbursed.~~

~~**§ 3. Loan Committee Establishment and Purpose.**~~

~~(a) The Loan Committee is hereby established for the purpose of consulting with, advising and making recommendations to the Secretary-Treasurer and Band Assembly in all matters pertaining to the loan policy.~~

~~(b) The authority and responsibility of the Loan Committee shall be to report the Secretary-Treasurer and Band Assembly on problems concerning loans to Band members and to foster the interest and cooperation of the all concerned parties on improving their methods of operations.~~

~~**§ 4. Committee Membership, Terms of Office and Salary.**~~

~~(a) Existing Loan Committee members shall serve terms until September 30, 1998.~~

~~(b) Effective October 1, 1998, the Loan Committee shall consist of six members who shall be nominated by the Chief Executive and confirmed by the Band Assembly~~

~~(c) The Band Assembly shall submit a list of not less than seven (7) names to the Chief Executive who shall nominate six (6) from amount them to the Band Assembly for ratification. Staggered terms for the six (6) board members shall be as follows:~~

~~(1) Three at-large board members shall initially serve two (2) year terms expiring on September 30, 2000.~~

~~(2) Following the expiration of the two (2) year terms the at-large board members shall then serve four (4) year terms expiring September 30, 2004, and every four (4) years hence.~~

~~(3) The three (3) board members from the respective districts shall serve four (4) year terms expiring September 30, 2002, and every four (4) years hence.~~

~~(d) The Board shall be subject to removal of members pursuant to 4 MLBS § 15.~~

~~(e) Board members of the Loan Committee may receive travel reimbursement and stipends for meetings attended no inconsistent with a Commissioner's Order from the Commissioner of Finance.~~

~~§ 5. Officers.~~

~~The Chair and Secretary of the Loan Committee shall be elected annually by and from the members thereof.~~

~~§ 6. Loan Committee Meetings.~~

~~(a) Meetings may be called by the Chair of the Loan Committee. Four members of the Loan Committee shall constitute a quorum.~~

~~(b) The Secretary shall ensure accurate record keeping of all meetings and transcripts thereof. Such records shall be prima facie evidence of the facts therein. Minutes shall be approved by the Loan Committee and signed by the Chair of the Loan Committee at the next loan meeting.~~

~~(c) Minutes shall be forwarded to Band Assembly and the Chief Executive within two weeks of their approval.~~

§ 2~~7~~. Policies.

Band Assembly shall ratify the policies for the Revolving Loan Fund.

~~§ 8. Powers and Duties of Board.~~

~~The Mille Lacs Band of Ojibwe Loan Committee shall have the following powers:~~

~~(a) To act on and approve applications for loans.~~

~~(b) To recommend amendments to the Loan policies to Band Assembly.~~

~~(c) To fill vacancies in the Loan Committee until successors are nominated by the Chief Executive and confirmed by the Band Assembly.~~

~~(d) To approve loan applications of Loan Committee members subject to the concurrence of the Secretary-Treasurer.~~

~~(e) In furtherance of promoting thrift among its members and creating a source of credit for them at legitimate rates of interest for provident purposes, and not in limitation of specific powers contained herein, to have all the powers enumerated, authorized and permitted by this Chapter and such other rights, privileges and powers as may be incidental to, or necessary for, the accomplishment of the objectives and purposes of the Loan Committee.~~

§ 39. Powers and Duties of the Office of Management and Budget.

(a) The Office of Management and Budget shall have the responsibility to administer the Revolving Loan Fund for the Mille Lacs Band of Ojibwe.

(b) The Office of Management and Budget shall have the responsibility to consult with, advise, and make recommendations to the Secretary-Treasurer and Band Assembly in all matters pertaining to the loan policy.

~~(a)~~(c) The Office of Management and Budget shall have the responsibility to report to the Secretary-Treasurer and Band Assembly on problems concerning loans to Band members and to foster the interest and cooperation of all concerned parties on improving their methods of operations.

~~(b)~~(d) The Office of Management and Budget may contract with lending institutions for the purpose of loan servicing.

~~(c)~~ The Office of Management and Budget shall be responsible for initiating all delinquent loan proceedings.

(e) The Office of Management and Budget shall make the Revolving Loan Fund policies available to all loan applicants as part of the application documents.

§ 4. Powers and Duties of the Commissioner of Finance.

(a) To designate a loan specialist within the Office of Budget and Management who shall:

(1) approve or deny the loan applications in accordance with this Chapter and Revolving Loan Fund policy, or

(2) seek additional information from the loan applicant required to approve or deny the application, and then, once the information is acquired, approve or deny the application in accordance with this Chapter and Revolving Loan Fund policy.

(b) In furtherance of promoting thrift among its members and creating a source of credit for them at legitimate rates of interest for provident purposes, and not in limitation of specific powers contained herein, to have all the powers enumerated, authorized and permitted by this Chapter and such other rights, privileges and powers as may be incidental to, or necessary for, the accomplishment of the objectives and purposes of the Revolving Loan Fund.

(c) To approve loan applications of the loan specialist and Commissioner of Finance subject to the concurrence of the Secretary-Treasurer.

(d) To consider appeals from loans denied by a loan specialist in accordance with this Chapter and Revolving Loan Fund policy. Appeals decisions by the Commissioner of Finance are final; the Court of Central Jurisdiction lacks jurisdiction to consider such appeals.

§ 510. Reports and Audits.

The Office of Management and Budget shall annually file a report to the Chief Executive and Band Assembly for the purpose of giving such relevant information as may be required concerning the ~~Loan Committee~~Office of Budget and Management during the preceding year, although from time to time additional reports may be required. The Revolving Loan Fund shall be reviewed as part of the annual audit of the Mille Lacs Band of Ojibwe. A copy of the audit shall be forwarded to the Chief Executive and Band Assembly within sixty days after the completion of the audit.

§ 611. Suspension of Operation.

(a) ~~Whenever the Band Assembly finds that the Loan Committee is engaged in unsafe or unsound practices in overseeing the Loan Fund or has knowingly or negligently permitted any of its committee members or employees to violate any material provision of any law, bylaw or regulation to which the Loan Fund is subject, the Band Assembly may suspend operation of the Loan Fund.~~ If the Band Assembly or Secretary-Treasurer finds that the Office of Management and Budget is engaged in unsafe or unsound practices in overseeing the Revolving Loan Fund or has knowingly or negligently permitted violations of any material provision of any law or policy to which the Loan Fund is subject, the Band Assembly or Secretary-Treasurer may:

(1) order the immediate suspension of Revolving Loan Fund operations by giving written notice to the Office of Management and Budget in accordance with this section, or

(2) submit a written notice with respect to practices or violations for the purpose of investigation and review so that the Office of Management and Budget may have a reasonable time within which to correct any deficiencies. If

corrections are not made within the time stated in the notice, the Band Assembly or Secretary-Treasurer, by written notice to the Office of Management and Budget, may suspend the operation of the Revolvingh Loan Fund in accordance with this section.

~~(a)~~(b) A notice of suspension to the Office of Management and Budget shall include a list of reasons for said suspension and a list of any specific violations of law or policy, and shall specify which operations, if any, may be continued during the period of suspension. The notice shall also fix a time and place for a hearing before the Band Assembly.

~~(b)~~ The hearing shall be held within thirty calendar days of the notice of suspension. Evidence may be produced at such hearing by any party thereto. The decision as to the continued suspension of operations of the Loan Fund shall be based upon the evidence presented and shall be made by the Band Assembly. If the Band Assembly, by formal action, decides to continue suspension after a hearing, it shall give written notice to the Office of Management and Budget.
~~The Secretary-Treasurer, after formal action of the Band Assembly may suspend the operation of the Loan Fund by giving written notice to the Loan Committee. The notice shall include a list of reasons for said suspension and a list of any specific violations of law, bylaw or regulation and shall specify which operations, if any, may be continued during the period of suspension. The notice shall also fix a time and place for a hearing before the Band Assembly. The hearing shall be held within thirty calendar days of the notice of suspension. Evidence may be produced at such hearing by any party thereto. The decision as to the continued suspension of operations of the Loan Fund shall be based upon the evidence presented. If the Band Assembly, by formal action, decides to continue suspension, they shall give written notice to the Loan Committee.~~

~~(c) In lieu of the immediate suspension of the operation of the Loan Fund, the Secretary-Treasurer may submit a written notice with respect to practices or violations for the purpose of investigation and review so that the Loan Committee may have a reasonable time within which to correct any deficiencies. If corrections are not made within the time stated in the notice, the Band Assembly, by formal action, may suspend the operation of the loan fund in accordance with this section.~~

§ 7~~12~~. ~~Court of Central Jurisdiction~~Sovereign Immunity.

The Court of Central Jurisdiction is hereby granted exclusive original jurisdiction for any cause of action which arises from this Chapter or operations of the loan fund. Nothing in this chapter shall be construed as a waiver of sovereign immunity of the Mille Lacs Band of Ojibwe in any court of competent jurisdiction or other forum.

§ 813. Solicitor General Obligation.

The Solicitor General ~~may~~ shall represent the interest of the ~~Loan Committee~~Office of Management and Budget in any matter before the Court of Central Jurisdiction.

§ 914. Fund Authorization.

The Band Assembly hereby authorizes a maximum of $650,000 for the Revolving Loan Fund. These funds shall remain reserved in the general fund to provide for the operations of the Revolving Loan Fund. Monies generated from loan repayments shall be paid over to the Office of Management and Budget and shall be credited to the Revolving Loan Fund account. Interest generated from loans shall be credited to the Revolving Loan Fund account. These funds shall be expended solely for additional Revolving Loan Fund loans, pursuant to this chapter and the Revolving Loan Fund policy. Revolving Loan Fund monies shall carry forward without re-appropriation. The Revolving Loan Fund account shall not be dissolved without amendment of this Chapter. In the event the fund is dissolved by official action, all remaining funds in the account shall be deposited into the Band's long-term savings.

~~The Band Assembly hereby authorizes a maximum of $650,000 for the Revolving Loan Fund. These funds shall remain reserved in the general fund to provide for the operations of the Revolving Loan Fund.~~

Act 43-24
(Band Assembly Bill 21-02-43-24)

Introduced to the Band Assembly on this
First day of August in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
First day of August in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 8-8-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 44-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Year ending September 30, 2024. This bill has been drafted based on formal documents submitted by Health & Human Services Finance on July 25, 2024.

The District I Representative introduced the following Bill on the 1st day of August, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Year ending September 30, 2024.

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a payroll budget revision to move monies within the Elder Coordinator budget as submitted (Memo dated July 25, 2024 from Health & Human Services Finance):

Elder Coordinator 223-4450 $224.00– **Total**

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 44-24

(Band Assembly Bill 21-02-44-24)

Introduced to the Band Assembly on this
First day of August in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
First day of August in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 8-8-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 45-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive and Legislative Branches for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Legislative Affairs Director on July 30, 2024; and the Administration Policy Board on August 1, 2024.

The District II Representative introduced the following Bill on the 7th day of August, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive and Legislative Branches for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (July 25, 2024)
Natural Resources		
Institute of Museum and Library Services Oral History Grant 251-NEW Of FY2024 Grant Funds	$96,547.85	Attachment # 4
Tribal Youth Initiative Program 251-NEW OF FY2024 Self-Governance Funds	$50,000.00	Attachment # 5
Forestry 251-5490 Of FY2024 Self-Governance Funds	$25,153.00	Attachment # 6
Forestry 251-5490 Of FY2024 Self-Governance Funds	$59,230.00	Attachment # 7
Education		
MN Personnel Development Grant 203-3290 Of FY2024 Grant Funds	$86,215.33	Attachment # 8

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Natural Resources: a budget revision to move monies within the Walleye Grant budget as submitted (Attachment # 3):

Walleye Grant 251-5390 $404,827.30 – **Total**

FY2024 Legislative: a payroll budget revision to update the positions within the Legislative budget as submitted (Memo dated July 30, 2024, from the Legislative Affairs Director):

Legislative 101-1400 $18,531.00 – **Total**

FY2025 Legislative: a payroll budget revision to update the positions within the Legislative budget as submitted (Memo dated July 30, 2024, from the Legislative Affairs Director):

Legislative 101-1400 $49,568.48 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 45-24

(Band Assembly Bill 21-02-45-24)

Introduced to the Band Assembly on this
Seventh day of August in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Seventh day of August in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 8-12-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 46-24

An Act of Appropriation for Governmental Operations of the Executive, Legislative, and Judicial Branches; Circle of Health; Gaming Regulatory Authority; Department of Athletic Regulation; Supplemental Income Program for Elders; Tribal Employment Rights Office; and Band Member Legal Services of the Mille Lacs Band Tribal Government for fiscal years ending September 30, 2024, and September 30, 2025. This bill has been drafted based on formal documents submitted by the Office of Management and Budget and the Commissioner of Administration.

This bill reflects the compromise between the Chief Executive and the Band Assembly on vetoed Act 38-24.

The District II Representative introduced the following Bill on the 8th day of August, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for Governmental Operations for the Fiscal Years ending September 30, 2024, and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures detailed in "Exhibit A," which is incorporated herein as the budget for Fiscal Years 2024 and 2025.

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded within any line item unless otherwise permitted by Band law. Funds must be utilized for the purposes for which they were requested, notwithstanding any exceptions provided in this Bill or any other active Band law. No expenditure that causes a budget line item to be exceeded may be paid without further Band Assembly action, except that the Office of Management and Budget leadership is authorized to exercise reasonable discretion regarding line item budget overages such as to avoid unintended outcomes that would result in an adverse impact to the Band. Examples include, but are not limited to: paying a utility bill to avoid discontinuance of service/utility shut-offs; paying on an invoice to prevent incurrence of late payment charges; and, authorizing expenditures for emergency situations such as a broken water main or heating unit. Salary and wages are only permitted to be expended for the Position Titles listed in the budget (Exhibit A), at the corresponding hourly rates or below, unless approved through the Payroll Budget Revision process.

Section 1.03: Certain grants and contracts excluded. Specifically excluded from this Bill are any grants or contracts not listed in the budget (Exhibit A).

Section 1.04: Supplemental appropriations. Any increase in funding to any grant or contract listed in the attached fiscal year budget, or any newly received grant or contract, shall be subject to supplemental appropriation by the Band Assembly prior to any expenditure of these funds.

Section 1.05: Decreases in funding. Any decrease in funding to any grant or contract already budgeted shall automatically result in an equal decrease in the approved appropriation and, upon notification of the decrease by the appropriate grant agency, shall be subject to action by the Band Assembly to decrease the specific appropriation.

Section 1.06: Indirect costs. Indirect costs shall be collected for the particular programs based on the current rate approved by the United States Department of Interior and/or Office of Inspector General, unless limited to a lesser rate by applicable federal and/or state regulations.

Section 1.07: Quarterly progress reports. Quarterly progress reports shall be presented to the Band Assembly by all Commissioners and program leaders, or their designees, for their respective programs. The Band Assembly shall notify the office of the Chief Executive and the office of each Commissioner and program leader is required to appear before the Band Assembly at least five (5) full days prior to the Commissioner's or program leader's scheduled appearance.

Section 1.08: End of fiscal year. Except as otherwise exempted, all appropriations shall lapse at the end of each fiscal year.

Section 1.09: Budget revisions equal to or less than $10,000.00 per month. The Band Assembly hereby authorizes the Chief Executive, Secretary-Treasurer, District Representatives, Commissioners, Assistant Commissioner, Solicitor General, Chief Justice, Band Member Legal Services Managing Attorney, and Directors of the Gaming Regulatory Authority, Department of Athletic Regulation, and Tribal Employment Rights Office to approve budgetary revisions within programs, exclusive of salary and wage revisions, equal to or less than $10,000.00 per month, provided that the budget revisions are allowable under grant provisions, if applicable, and that sufficient funds are available for the budget revisions.

Section 1.10: Budget revisions greater than $10,000.00 per month. For budget revisions greater than $10,000.00 per month, the Band Assembly hereby authorizes the Administration Policy Board (APB) to approve Executive Branch budget revisions within programs, exclusive of salary and wage revisions, of up to 50 percent (50%) of the total program's budget if the program is less than $100,000.00 and up to 20 percent (20%) if the program is equal to or greater than $100,000.00. Chief Executive budget revisions do not require approval by APB and instead are routed directly from the Chief Executive to Band Assembly. Budget revisions in excess of $10,000.00 outside of the Executive Branch, do not require approval by APB, and instead are routed directly to Band Assembly. Budgetary revisions in excess of these thresholds must be approved by Band Assembly through an appropriation bill and enacted into law by the Chief Executive.

Section 1.11: Budget revisions and transfers of Internal Service Funds.

(a) For non-grant funded programs, budget revisions from health insurance (line item 4105), dental insurance (line item 4108), and workers' compensation (line item 4109) are prohibited except as provided in subsection b. Budget transfers from health insurance (line item 4105), dental insurance (line item 4108), and workers' compensation (line item 4109) are permitted only to cover program shortages within the same line item

(b) Budget revisions and transfers from the Band's Health, Dental, and Workers' Compensation Internal Service Funds may be approved only if they contain excess funds, after the end-of-fiscal-year reconciliation.

Section 1.12: Distribution of budget. In order to protect Band interests, the Budget (Exhibit A) shall be stored electronically and in hard copy at a location designated by the Revisor of Statutes. Band members may view a hard copy of the budget, exclusive of government-employee pay rates, in the Legislative Office in the Government Center by presenting a valid Band ID.

Section 1.13: Grant funds. All funds appropriated for federal, state, and private grant funds shall be appropriated to align with the grant term so as to automatically carry over to the next fiscal year if appropriated funds remain and if the grant is not completed within the fiscal year. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state, and private grant funds only after receipt by Band Assembly of the signed award letter from the grantor agency.

Section 1.14: Budgetary shortfalls. The Band Assembly hereby authorizes the Commissioner of Finance to access Interest/Dividend Earnings from the Band's Long-Term Savings Account not to exceed $7,519,480.00 for Fiscal Year 2024 and $6,814,860.00 for Fiscal Year 2025 to cover any biennium budgetary shortfalls, after all other sources have been exhausted such as grants and awards.

Act 46-24

(Band Assembly Bill 21-02-46-24)

Introduced to the Band Assembly on this
Eighth day of August in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Eighth day of August in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 8-8-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Mille Lacs Band of Ojibwe
FY24-FY25 Biennium Budget
Investment Funding Sources

Source	Program #	Name	Amount FY24	Amount FY25
[redacted]				

*After all other sources have been exhausted such as grants and awards.

Mille Lacs Band of Ojibwe
FY2024 Budget Request
Submitted: 8/8/2024

FY2024 Summary

	Chief Executive	Legislative	Judicial	Administration & AanjiBimaadizing	Education	Natural Resources	Department of Justice	Comm. Dev. & Housing	Health & Human Services	2024 Budget Totals	Circle of Health	Gaming Reg. Authority	Department of Athletic Reg.	Elder Supplemental	TERO	BMLS	Aggregate Total
	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget		2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget	2024 Budget
[redacted]																	

**Estimated usage figures. Interest/Dividend Earnings from the Band's Long-Term Savings Account not to exceed $7,519,480 may be accessed to cover any biennium budgetary shortfalls, after all other sources have been exhausted such as grants and awards.

Mille Lacs Band of Ojibwe
FY2025 Budget Request
Submitted: 8/8/2024

FY2025 Summary

	Chief Executive	Legislative	Judicial	Administration & AanjiBimaadizing	Education	Natural Resources	Department of Justice	Comm. Dev. & Housing	Health & Human Services	2025 Budget Totals	Circle of Health	Gaming Reg. Authority	Department of Athletic Reg.	Elder Supplemental	TERO	BMLA	Aggregate Total
	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget		2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	2025 Budget	**2025 Budget**
[redacted]																	

**Estimated usage figures. Interest/Dividend Earnings from the Band's Long-Term Savings Account not to exceed $6,814,860 may be accessed to cover any biennium budgetary shortfalls, after all other sources have been exhausted such as grants and awards.

Act 47-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive, and Judicial Branches for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by Health & Human Services Finance on August 12, 2024; the Administration Policy Board on August 13, 2024; and the Court Administrator on August 14, 2024.

The District I Representative introduced the following Bill on the 21st day of August, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive, and Judicial Branches for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (August 8, 2024)
Education		
Title 1 203-3230 Of FY2024 Grant Funds	$308,915.00	Attachment # 7
Natural Resources		
AIR-CAA103 251-5410 Of FY2024 Grant Funds	$105,000.00	Attachment # 8

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a payroll budget revision to move monies within the Social Services Net Revenue budget as submitted (Memo from Health & Human Services Finance dated August 12, 2024):

Social Services Net Revenue 224-4840 $8,720.80 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Social Services Net Revenue budget as submitted (Memo from Health & Human Services Finance dated August 12, 2024):

Social Services Net Revenue 224-4840	$21,227.44 – **Total**

FY2024 Judicial: a payroll budget revision to move monies within the Tribal Court budget as submitted (Memo from the Court Administrator dated August 14, 2024):

Judicial – Tribal Court 103-1500	$41.60 – **Total**

FY2025 Judicial: a payroll budget revision to move monies within the Tribal Court budget as submitted (Memo from the Court Administrator dated August 14, 2024):

Judicial – Tribal Court 103-1500	$41.60 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 47-24

(Band Assembly Bill 21-02-47-24)

Introduced to the Band Assembly on this
Twenty-first day of August in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-first day of August in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 8/28/24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 48-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive and Legislative Branches, and the Department of Cannabis Regulation for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Legislative Affairs Director on August 21, 2024; Health and Human Services Finance Accountant on August 22, 2024; Commissioner of Finance on August 20th and 22nd, 2024; the Commissioner of Natural Resources on August 23, 2024; and the District I Representative on August 26, 2024.

The District II Representative introduced the following Bill on the 28th day of August, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive and Legislative Branches, and the Department of Cannabis Regulation for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Department of Cannabis Regulation		
Department of Cannabis Regulation 100-1850 Of FY2024 Unspent/Net Revenue Funds	$28,956.00	Memo from the Commissioner of Finance dated August 22, 2024
Legislative Branch		
Band Member Loans 101-2560 Of FY2024 Unspent/Net Revenue Funds	$650,000.00	Memo from the Commissioner of Finance dated August 22, 2024

Tribal Operations Fiscal Year 2025	**Supplemental**	**Cross-Reference**
Department of Cannabis Regulation		
Department of Cannabis Regulation 100-1850 Of FY2024 Unspent/Net Revenue Funds	$352,377.00	Memo from the Commissioner of Finance dated August 22, 2024

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Legislative: a budget revision to move monies within the Legislative budget to cover the funds for a vehicle for DI Representative as submitted (Memo from the District I Representative dated August 26, 2024):

Legislative 101-1010	$40,000.00

FY2024 Legislative: a budget revision to move monies within the OMB budget to clean up budgeted amounts following the review of recent 2024 revenue and expense financial statements for the department as submitted (Memo from the Commissioner of Finance dated August 20, 2024):

OMB 101-2100	$61,500.00

FY2024 Legislative: a payroll budget revision to move monies within the Legislative budget as submitted (Memo dated August 21, 2024, from the Legislative Affairs Director):

Legislative 101-1400	$4,752.60 – **Total**

FY2025 Legislative: a payroll budget revision to move monies within the Legislative budget as submitted (Memo dated August 21, 2024, from the Legislative Affairs Director):

Legislative 101-1400	$4,875.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Circle of Health budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Circle of Health 100-2330	$8,310.40 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Circle of Health budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Circle of Health 100-2330	$74,512.67 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Health & Human Services I.T. budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

HHS I.T. 221-4130	$686.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Health & Human Services I.T. budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

HHS I.T. 221-4130	$1,049.78 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the NIS Overhead budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

NIS Overhead 221-4190 $3,889.60 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the NIS Overhead budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

NIS Overhead 221-4190 $4,000.46 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Building Maintenance budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Building Maintenance 221-4220 $108.80 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Building Maintenance budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Building Maintenance 221-4220 $5,824.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Admin budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Admin 221-4230 $55,702.40 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Admin budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Admin 221-4230 $57,373.47– **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the NIS Pharmacy budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

NIS Pharmacy 221-4240 $6,864.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the NIS Pharmacy budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

NIS Pharmacy 221-4240 $7,073.25 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Dental budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Dental 221-4250 $2,302.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Dental budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Dental 221-4250 $8,256.77 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the MFPTI budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

MFPTI 221-4265 $2,974.40 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the MFPTI budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

MFPTI 221-4265 $3,057.60 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Four Winds budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Four Winds 222-4090 $1,560.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Four Winds budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Four Winds 222-4090 $1,615.74 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Elder Coordinator budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Elder Coordinator 223-4450 $2,080.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Elder Coordinator budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Elder Coordinator 223-4450 $2,163.20 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Social Nutrition budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Social Nutrition 223-4490 $1,414.40 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Social Nutrition budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Social Nutrition 223-4490 $2,881.42 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Social Nutrition Grant budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Social Nutrition Grant 223-4510 $1,248.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Social Nutrition Grant budget as submitted (Memo dated August 22, 2024, from the Health & Human Services Finance Accountant):

Social Nutrition Grant 223-4510 $1,289.60 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5490 $9,006.40 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5540 $2,017.60 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5730 $2,558.40 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5760 $1,435.20 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5810 $3,827.20 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5950 $3,972.80 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5300 $2,870.40 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5320 $14,996.80 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5380 $7,092.80 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5410 $1,872.00 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated August 23, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5460 $748.80 – **Total**

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 48-24

(Band Assembly Bill 21-02-48-24)

Introduced to the Band Assembly on this
Twenty-eighth day of August in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-eighth day of August in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 9-03-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 49-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Administration Policy Board on August 27, 2024; Health and Human Services Finance Accountant on August 28, 2024; and Deputy Assistant on August 30, 2024.

The District III Representative introduced the following Bill on the 4th day of September, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (August 22, 2024)
Education		
Title VI 203-3120 Of FY2024 Grant Funds	$44,847.00	Attachment # 4
State Head Start 202-3510 Of FY2024 Grant Funds	$606,987.00	Attachment # 5
Natural Resources		
Grid Resiliency 251-5510 Of FY2024 Grant Funds	$194,705.00	Attachment # 6
Community Development		
Public Works 104-1260 Of FY2024 Grant Funds	$150,000.00	Attachment # 7
Health & Human Services		
Elder Energy 223-4590 Of FY2024 Long-Term Savings Funds	$200,000.00	Attachment # 8

Family Services 224-4870 Of FY2024 Grant Funds	$8,059.00	Attachment # 9

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a payroll budget revision to move monies within the Social Service Net Revenue budget as submitted (Memo dated August 28, 2024, from the Health & Human Services Finance Accountant):

Social Services Net Revenue 224-4840 $19,240.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Social Service Net Revenue budget as submitted (Memo dated August 28, 2024, from the Health & Human Services Finance Accountant):

Social Services Net Revenue 224-4840 $19,822.40 – **Total**

FY2024 Chief Executive: a budget revision to move monies within the Chief Executive budget as submitted (Memo dated August 30, 2024, from the Deputy Assistant):

Chief Executive 102-2000 $269,000.00 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 49-24

(Band Assembly Bill 21-02-49-24)

Introduced to the Band Assembly on this
Fourth day of September in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fourth day of September in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 9-10-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 50-24

An Act Repealing and Replacing Act 41-24 to add the Disabled Band Member General Welfare ("DBMGW") Assistance Benefit Program. Act 41-24 authorized Supplemental Appropriations for the August and September 2024 Tribal General Welfare Exclusion Act ("TGWEA") Assistance Payment Program for the Fiscal Year ending September 30, 2024. The previous bill was drafted based on formal documents submitted by the Office of Management and Budget on July 23, 2024. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on September 3, 2024.

The District I Representative introduced the following Bill on the 4th day of September, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2024.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Legislative Branch		Commissioner of Finance memo & documents dated September 3, 2024.
Office of Management and Budget		
TGWEA & DBMGW Assistance Payments Of FY2024 Tax Revenue Funds	100-1990 $2,114,145.00	
TGWEA & DBMGW Assistance Payments Of FY2024 Long-term Savings Investment Income Funds	100-1990 $9,370,529.00	

Section 1.02: Child support. A maximum of ninety-five dollars and 00 cents ($95.00) may be intercepted from each of the of the monthly disbursements, for the payment of ongoing child support obligations or past-due arrearages. The Band's Child Support Enforcement Program is not required to provide any notice to obligors prior to intercepting any funds as described herein.

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 50-24

(Band Assembly Bill 21-02-50-24)

Introduced to the Band Assembly on this
Fourth day of September in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fourth day of September in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 9-4-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 51-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Administration Policy Board on August 27, 2024; Commissioner of Health and Human Services on September 9, 2024 (original request submitted by Administration Policy Board on August 13, 2024, that request was taken off Bill 21-02-47-24 for further clarification); Assistant Commissioner of Administration on September 5, 2024; and Health & Human Services Finance on September 6, 2024.

The District II Representative introduced the following Bill on the 11th day of September, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (August 8, 2024)
Health & Human Services		
Child Advocacy Center Remodel 221-4140 Of FY2024 ARPA SLFRF Funds	$277,933.30	Attachment # 6

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a budget revision to move monies within the Child Advocacy renovation budget as submitted (APB Minutes dated August 22, 2024, attachment #3):

CTAS Renovations 221-4165 $154,824.02 – **Total**

FY2024 Administration: a payroll budget revision to move monies within the Meshakwad Community Center budget as submitted (Memo dated September 5, 2024, from the Assistant Commissioner of Administration):

Meshakwad Community Center 107-2050 $15,066.40 – **Total**

FY2025 Administration: a payroll budget revision to move monies within the Meshakwad Community Center budget as submitted (Memo dated September 5, 2024, from the Assistant Commissioner of Administration):

Meshakwad Community Center 107-2050 $3,044.80 – **Total**

FY2024 Administration: a payroll budget revision to move monies within the District I Community Center budget as submitted (Memo dated September 5, 2024, from the Assistant Commissioner of Administration):

District I Community Center 107-2070 $6,976.80 – **Total**

FY2024 Administration: a payroll budget revision to move monies within the District I Community Center budget as submitted (Memo dated September 5, 2024, from the Assistant Commissioner of Administration):

District I Community Center 107-2070 $102,578.52 – **Total**

FY2025 Administration: a payroll budget revision to move monies within the District I Community Center budget as submitted (Memo dated September 5, 2024, from the Assistant Commissioner of Administration):

District I Community Center 107-2070 $133,321.28 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Family Preservation ARPA budget as submitted (Memo dated September 6, 2024, from the Health & Human Services Finance Accountant):

Family Preservation ARPA 224-4867 $75,628.80 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Family Preservation ARPA budget as submitted (Memo dated September 6, 2024, from the Health & Human Services Finance Accountant):

Family Preservation ARPA 224-4867 $77,896.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the CWTCM budget as submitted (Memo dated September 6, 2024, from the Health & Human Services Finance Accountant):

CWTCM 224-4760 $1,996.80 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the CWTCM budget as submitted (Memo dated September 6, 2024, from the Health & Human Services Finance Accountant):

CWTCM 224-4760 $2,059.20 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Families First Preservation budget as submitted (Memo dated September 6, 2024, from the Health & Human Services Finance Accountant):

Families First Preservation 224-4790 $730.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Families First Preservation budget as submitted (Memo dated September 6, 2024, from the Health & Human Services Finance Accountant):

Families First Preservation 224-4790 $1,560.00 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the HHS Commissioner budget as submitted (Memo dated September 6, 2024, from the Health & Human Services Finance Accountant):

HHS Commissioner 226-4110 $5,012.80 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the HHS Commissioner budget as submitted (Memo dated September 6, 2024, from the Health & Human Services Finance Accountant):

HHS Commissioner 226-4110 $5,179.20 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the HHS Pharmacy budget as submitted (Memo dated September 6, 2024, from the Health & Human Services Finance Accountant):

HHS Pharmacy 221-4240 $9,963.20 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the HHS Pharmacy budget as submitted (Memo dated September 6, 2024, from the Health & Human Services Finance Accountant):

HHS Pharmacy 221-4240 $10,254.40 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 51-24

(Band Assembly Bill 21-02-51-24)

Introduced to the Band Assembly on this
Eleventh day of September in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Eleventh day of September in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 9-18-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 52-24

An Act amending Title 15, chapter 5 to enact protocols for obtaining a provisional cannabis license, prohibit retail cannabis sales in establishments physically attached to casinos, and remove the prohibition on using animal likenesses in cannabis branding and logos. This bill also adds the option to hire an initial executive director of the Department of Cannabis Regulation so as to not delay the operations of the Department any further.

The District II Representative introduced the following Bill on the 18th day of September, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Amending Title 15, chapter 5, section 1207, subsection (c).

(c) **Products out of compliance**. The Department shall deem any cannabinoid products out of compliance, and thus prohibited from retail sale, that:

(1) appear to be a lollipop or ice cream;

(2) appear to be the likeness, or contains characteristics of, a real or fictional person~~, animal,~~ or fruit;

Section 2. Amending Title 15, chapter 5, section 1224.

Mille Lacs Corporate Ventures, or a subsidiary thereof, shall obtain a provisional, non-transferable cannabis license for each license as listed in § 1210(a)(2). All provisional licenses may be granted by a Resolution of the Band Assembly starting on the effective date of this Code and shall expire on ~~December~~ June 31, ~~2024~~2025. After expiration of all provisional cannabis licenses, Mille Lacs Corporate Ventures shall obtain any and all cannabis licenses through the Department's processes as listed above.

(a) A provisional license shall only be issued by the Band Assembly once the following materials have been provided and reviewed by the Band Assembly:

(1) A letter from Mille Lacs Corporate Ventures, or a subsidiary thereof, stating their request for a provisional license for each license they are requesting.

(2) All documents as listed in §1210(b)(2)(i)-(xiv). If Mille Lacs Corporate Ventures, or its subsidiary, is unable to provide any document, they shall provide a description as to why they are unable to provide said document.

Section 3. Amending Title 15, chapter 5, section 1205 to add a new subsection.

(e) **Initial Executive Director.** The Chief Executive and Band Assembly shall by majority vote hire a qualified individual, as determined in §1205(a), to serve as the initial executive director for the Department of Cannabis Regulation.

Section 4. Amending Title 15, chapter 5, section 1210, subsection (b), paragraph (3).

(3) No license shall be issued that would:

(i) place the Band in violation of applicable Band law, grant or funding conditions, or inter-governmental compacts;

(ii) pose a threat to the public interest or health and welfare of the Band and its communities; or

(iii) pose a threat to the effective regulation of cannabis within the Band's sovereign territory; or

(iv) sell cannabis in a casino or in an establishment physically attached to a casino.~~on Band-owned casino property.~~

EFFECTIVE DATE. This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.

Act 52-24
(Band Assembly Bill 21-02-52-24)

Introduced to the Band Assembly on this
Eighteenth day of September in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Eighteenth day of September in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 9-25-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 53-24

An Act of Supplemental Appropriation for the October and November 2024 Tribal Per Capita Distribution for Adults for the Fiscal Year ending September 30, 2025. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on September 12, 2024.

The District III Representative introduced the following Bill on the 18th day of September, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2025	**Supplemental**	**Cross-Reference**
Legislative Branch		Per Cap spreadsheet (September 12, 2024)
Per Capita Distribution		
Adults 100-1980 Of FY2025 Per Capita Distribution Funds	$5,176,878.00	

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 53-24

(Band Assembly Bill 21-02-53-24)

Introduced to the Band Assembly on this
Eighteenth day of September in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Eighteenth day of September in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 9-25-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

MILLE LACS BAND OF OJIBWE
Per Capita Approriation Request (**100-1980**)
Prepared by: Chris Waite
Approved by: Mel Towle

	FY 2025	Adults	Minors	Total
Total Band Members based on Count as of 8/6/2024		3,394	1,649	5,043

Per Capita Payment based on the following:

Appropriation of Funds Needed by age group		2024 October	2024 November	
Adults Per Capita - Monthly	3216	$ 2,505,264	$ 2,528,634	
Adults Per Capita - Bi-Monthly	34	$ 52,020	$ -	
Adults Per Capita - Quarterly	48		$ -	
Adults Per Capita Tri-Annual x4	87	$ -	$ -	
Adults Per Capita Bi-Annual x6	6	$ -	$ -	
Adults Per Capita Annual x12	2	$ -	$ -	
Newly enrolled Adults (MON)	0	$ -	$ -	
20 yrs olds/ Graduates (TRI/MON)	30		$ 90,960	
Recently deceased pay 1 Month	0	$ -	$ -	
Total Minors for Trust	1621	$ -	$ -	
		$ 2,557,284	$ 2,619,594	**Total**

100-1980	**Adults Per Capita =**	**$ 5,176,878**
100-1980	**Add to Minor Trust =**	**$ -**
Total appropriation request Oct & Nov		**$ 5,176,878**

Estimate as of 08/08/2024	Amount	Band Members	Band Members
Adults Per Capita Monthly x1	$ 779.00	3,216	3,246
Adults Per Capita Bi-Monthly x2	$ 1,530.00	34	34
Adults Per Capita Quarterly x3	$ 2,337.00	48	48
Adults Per Capita Tri-Annual x4	$ 3,088.00	87	87
Adults Per Capita Bi-Annual x6	$ 4,590.00	6	6
Adults Per Capita Annual x12	$ 9,096.00	2	2
20 yrs olds/ Graduates	$ 3,032.00	-	-
Newly enrolled Adults	$ 779.00	-	-
Recently deceased pay 1 Month	$ 779.00	-	-
Per Capita Minor Trust x4 Months	$ 2,318.00	1,649	1,619
*		**5,042**	**5,042**

* One declination

The Per Capita payment will be $779.00 for Adults and $585.00 for Minors.

Act 54-24

An Act of Supplemental Appropriation for the October and November 2024 Tribal General Welfare Exclusion Act ("TGWEA") Assistance Payment Programs for the Fiscal Year ending September 30, 2025. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on September 12, 2024.

The District I Representative introduced the following Bill on the 18th day of September, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2025	Supplemental	Cross-Reference
Legislative Branch		TGWEA Assistance Payments Memo & documents (September 12, 2024)
Office of Management and Budget		
TGWEA Assistance Payments 100-1990 Of FY2025 Long-term Savings Investment Income Funds	$8,695,962.00	

Section 1.02: Child support. A maximum of eighty-one dollars and 00 cents ($81.00) may be intercepted from each of the of the monthly disbursements, for the payment of ongoing child support obligations or past-due arrearages. The Band's Child Support Enforcement Program is not required to provide any notice to obligors prior to intercepting any funds as described herein.

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 54-24

(Band Assembly Bill 21-02-54-24)

Introduced to the Band Assembly on this
Eighteenth day of September in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Eighteenth day of September in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 9-25-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 55-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive, Judicial, and Legislative Branches and Department of Athletic Regulation for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Executive Director of the Department of Athletic Regulation on September 9, 2024; Court Administrator on September 9, 2024; Health and Human Services Finance Accountant on September 11, 2024; and the Commissioner of Finance on September 12, 2024.

The District II Representative introduced the following Bill on the 18th day of September, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive, Judicial, and Legislative Branches and Department of Athletic Regulation for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	Supplemental	Cross-Reference
Judicial Branch		Memo from the Court Administrator dated September 9, 2024
Tribal Court 103-1500 Of FY2024 Self-Governance Funds	$13,993.00	

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health & Human Services: a payroll budget revision to move monies within the Building Maintenance budget as submitted (Memo dated September 11, 2024, from the Health & Human Services Finance Accountant):

Building Maintenance 221-4220 $28,656.40 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Building Maintenance budget as submitted (Memo dated September 11, 2024, from the Health & Human Services Finance Accountant):

Building Maintenance 221-4220 $30,867.20 – **Total**

FY2024 Department of Athletic Regulation: a budget revision to move monies within the Department of Athletic Regulation budget to clean up negative line items within budget as submitted (Memo dated September 9, 2024, from the Executive Director):

Department of Athletic Regulation 100-1090 $27,864.07 – **Total**

FY2024 Legislative: a payroll budget revision to move monies within the Office of Management and Budget, budget as submitted (Memo dated September 12, 2024, from the Commissioner of Finance):

Office of Management and Budget 101-2100 $880.00 – **Total**

FY2025 Legislative: a payroll budget revision to move monies within the Office of Management and Budget, budget as submitted (Memo dated September 12, 2024, from the Commissioner of Finance):

Office of Management and Budget 101-2100 $1,318.40 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 55-24

(Band Assembly Bill 21-02-55-24)

Introduced to the Band Assembly on this
Eighteenth day of September in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Eighteenth day of September in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 9-25-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 56-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive and Judicial Branches, and Gaming Regulatory Authority for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Solicitor General on September 13, 2024; Director of Surveillance on September 16, 2024; Assistant Commissioner of Administration on September 17, 2024; Commissioner of Natural Resources on September 17, 2024; Court Administrator on September 19, 2024; and Administration Policy Board on September 19, 2024.

The District III Representative introduced the following Bill on the 27th day of September, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive and Judicial Branches, and Gaming Regulatory Authority for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (September 12, 2024)
Department of Justice – Tribal Police		
Tribal Police 105-1600 Of FY2024 Self-Governance Funds	$181,440.00	Attachment # 23
Tribal Police 105-1600 Of FY2024 Grant Funds	$3,917.85	Attachment # 24
Administration		
Family Homelessness Prevention and Assistance Program 281-6290 Of FY2024 Grant Funds	$203,376.00	Attachment # 25
Family Homelessness Prevention and Assistance Program 281-6290 Of FY2024 Grant Funds	$246,768.00	Attachment # 26
Long-term Homeless State Opioid Response 281-6280 Of FY2024 Grant Funds	$38,000.00	Attachment # 27

Natural Resources		
Land Management 251-5950 Of FY2024 Permanent Initiative Funds	$674,799.57	Attachment # 31
Health & Human Services		
Substance Use Disorders 222-4610 Of FY 2024 Grant Funds	$114,320.00	Attachment # 32
Community Development		
Weatherization 271-NEW Of FY2024 Grant Funds	$14,578.00	Attachment # 33
Weatherization 271-2920 Of FY2024 Grant Funds	$3,902.00	Attachment # 34
Weatherization 271-2930 Of FY2024 Grant Funds	$68,233.00	Attachment # 35
Weatherization 271-2940 Of FY2024 Grant Funds	$31,311.90	Attachment # 36
Weatherization 271-2950 Of FY2024 Grant Funds	$16,750.00	Attachment # 37
Weatherization 271-2960 Of FY2024 Grant Funds	$52,479.00	Attachment # 38
Indian Housing Block Grant 271-2900 Of FY2024 Grant Funds	$2,274,340.00	Attachment # 39
Tribal Operations Fiscal Year 2025	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (September 12, 2024)
Natural Resources		
Environment Lab 251-NEW Of FY2025 Permanent Initiative Funds	$35,500.00	Attachment # 29
Remediation Management 251-NEW Of FY2025 Permanent Initiative Funds	$500,000.00	Attachment # 30

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Education: a budget transfer from K-12 Language Immersion Net Revenue and Commissioner of Education to the NASS Transportation budgets to support the purchase of two buses from Hoglund Bus Company as submitted (Attachment # 16):

K-12 Language Immersion Net Revenue 203-3350	($164,138.00)
Commissioner of Education Net Revenue 206-3050	($90,000.00) to
NASS Transportation 203-3260	$254,138.00

FY2024 Education: a budget transfer from NASS ISEP Net Revenue and Special Education Net Revenue to the Scholarships budgets to cover the shortage of funds projected through the end of the fiscal year as submitted (Attachment # 17):

NASS ISEP Ne Revenue 203-3200	($700,000.00)
Special Education Net Revenue 203-3210	($368,469.90) to
Scholarships 204-3140	$1,068,469.90

FY2024 Administration: a budget transfer from Aanjibimaadizing Interest to the Net Revenue Youth Employment budgets to complete the requested transfer to support the youth employment program as submitted (Attachment # 18):

Aanjibimaadizing Interest 281-6772	($752,126.00) to
Net Revenue Youth Employment 281-6240	$752,126.00

FY2024 Health & Human Services: a budget revision to move monies within the Victim Services budget to cover expenses of supply and work station purchases for the Child Advocacy Program as submitted (Attachment # 20):

Victim Services 223-4855	$77,551.00 – **Total**

FY2024 Health & Human Services: a budget revision to move monies within the Information Technology budget to cover regular expenses and anticipated expenses through the end of the fiscal year as submitted (Attachment # 21):

Information Technology 221-4130	$75,374.10 – **Total**

FY2024 Natural Resources: a budget transfer from Environmental Initiatives to the EPA-UST budgets to correct negative line items as submitted (Attachment # 22):

Environmental Initiatives 251-5370	($3,095.01) to
EPA-UST 251-5430	$3,095.01

FY2024 Solicitor General: a payroll budget revision to move monies within the Office of Solicitor General budget as submitted (Memo dated September 13, 2024, from the Solicitor General):

Solicitor General 105-2150 $27,376.00 – **Total**

FY2025 Solicitor General: a payroll budget revision to move monies within the Office of Solicitor General budget as submitted (Memo dated September 13, 2024, from the Solicitor General):

Solicitor General 105-2150 $9,297.60 – **Total**

FY2025 Gaming Regulatory Authority: a payroll budget revision to move monies within the Surveillance budget as submitted (Memo dated September 16, 2024, from the Director of Surveillance):

Director of Surveillance 106-1860 $221,936.00 – **Total**

FY2024 Administration: a payroll budget revision to move monies within the Aanjibimaadizing budget as submitted (Memo dated September 17, 2024, from the Assistant Commissioner of Administration):

Aanjibimaadizing 281-6770 $6,123.20 – **Total**

FY2025 Administration: a payroll budget revision to move monies within the Aanjibimaadizing budget as submitted (Memo dated September 17, 2024, from the Assistant Commissioner of Administration):

Aanjibimaadizing 281-6770 $5,075.20 – **Total**

FY2024 Administration: a payroll budget revision to move monies within the NR Youth Employment budget as submitted (Memo dated September 17, 2024, from the Assistant Commissioner of Administration):

NR Youth Employment 281-6240 $5,848.00 – **Total**

FY2025 Administration: a payroll budget revision to move monies within the NR Youth Employment budget as submitted (Memo dated September 17, 2024, from the Assistant Commissioner of Administration):

NR Youth Employment 281-6240 $9,651.20 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated September 17, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5490 $790.40 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated September 17, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5540 $312.00 – **Total**

FY2024 Natural Resources: a payroll budget revision to move monies within the Natural Resources budget as submitted (Memo dated September 17, 2024, from the Commissioner of Natural Resources):

Natural Resources 251-5950 $312.00 – **Total**

FY2024 Judicial: a budget revision to move monies within the Tribal Court budget as submitted (Memo dated September 19, 2024, from the Court Administrator):

Tribal Court 103-1500 $85,650.00 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 56-24

(Band Assembly Bill 21-02-56-24)

Introduced to the Band Assembly on this
Twenty-seventh day of September in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-seventh day of September in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 10-4-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 57-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Executive Director of Education on September 20, 2024.

The District I Representative introduced the following Bill on the 2nd day of October, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Education: a payroll budget revision to move monies within the NASS ISEP budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

NASS ISEP 203-3200 $3,512.20 – **Total**

FY2025 Education: a payroll budget revision to move monies within the NASS ISEP budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

NASS ISEP 203-3200 $2,745.60 – **Total**

FY2024 Education: a payroll budget revision to move monies within the K-12 Child Nutrition budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

K-12 Child Nutrition 203-3240 $4,001.60 – **Total**

FY2025 Education: a payroll budget revision to move monies within the K-12 Child Nutrition budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

K-12 Child Nutrition 203-3240 $5,220.80 – **Total**

FY2025 Education: a payroll budget revision to move monies within the O&M budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

O&M 203-3250 $7,196.80 – **Total**

FY2024 Education: a payroll budget revision to move monies within the Mille Lacs Early Education budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

Mille Lacs Early Education 202-3500 $10,192.00 – **Total**

FY2025 Education: a payroll budget revision to move monies within the Mille Lacs Early Education budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

Mille Lacs Early Education 202-3500 $10,504.00 – **Total**

FY2024 Education: a payroll budget revision to move monies within the Mille Lacs Early Education budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

Mille Lacs Early Education 202-3570 $3,432.00 – **Total**

FY2025 Education: a payroll budget revision to move monies within the Mille Lacs Early Education budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

Mille Lacs Early Education 202-3570 $1,460.16 – **Total**

FY2024 Education: a payroll budget revision to move monies within the Mille Lacs Early Education budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

Mille Lacs Early Education 202-3640 $2,267.20 – **Total**

FY2025 Education: a payroll budget revision to move monies within the Mille Lacs Early Education budget as submitted (Memo dated September 20, 2024, from the Executive Director of Education):

Mille Lacs Early Education 202-3640 $2,329.60 – **Total**

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 57-24

(Band Assembly Bill 21-02-57-24)

Introduced to the Band Assembly on this
Second day of October in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Second day of October in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 10-9-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 58-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Administration Policy Board on October 1, 2024.

The District II Representative introduced the following Bill on the 9th day of October, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (September 26, 2024)
Health & Human Services		
Waivered Services 221-4265 Of FY2024 Miscellaneous Revenue Funds	$749.28	Attachment # 19
Food Distribution 223-4480 Of FY2024 Grant Funds	$6,000.00	Attachment # 20
Natural Resources		
Fire Preparedness 251-5490 Of FY 2024 Self-Governance Funds	$42,301.00	Attachment # 22
Administration		
Local Homeless Prevention Aid 281-6370 Of FY2024 Grant Funds	$109,091.00	Attachment # 25
Local Homeless Prevention Aid 281-6370 Of FY2024 Grant Funds	$109,091.00	Attachment # 26
Information Systems 107-2250 Of FY2024 ARPA-SLFRF Funds	$400,000.00	Attachment # 27

Tribal Operations Fiscal Year 2025	Supplemental	Cross-Reference
Executive Branch		Administration Policy Board Minutes (September 26, 2024)
Administration		
Government Affairs 107-2260 Of FY2025 Investment Income Funds	$560,000.00	Attachment # 23
Natural Resources		
US EPA 251-5430 FY2025 Grant Funds	$41,500.00	Attachment # 24

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Community Development: a budget transfer from Community Development to the CMD New Construction budgets for the CMD remodel project creating a conference room and expanded breakroom area as submitted (Attachment # 17):

Community Development 104-1200	($100,000.00) to
CMD New Construction 3xx-0000	$100,000.00

FY2024 Administration: a budget transfer from Aanjibimaadizing State MA-FS to the Aanjibimaadizing SNAP E&T budget to cover negative line items using the SNAP reimbursements budget as submitted (Attachment # 18):

Aanjibimaadizing State MA-FS 281-6380	($16,061.25) to
Aanjibimaadizing SNAP E & T 281-6385	$16,061.25

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 58-24

(Band Assembly Bill 21-02-58-24)

Introduced to the Band Assembly on this
Ninth day of October in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Ninth day of October in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 10-18-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 59-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Commissioner of Community Development on October 15, 2024; and Health and Human Services Finance on October 18, 2024.

The District III Representative introduced the following Bill on the 21st day of October, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.02: **Budget revision/transfers**. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Community Development: a payroll budget revision to move monies within the Inspectors budget as submitted (Memo dated September 25, 2024, from the Commissioner of Community Development):

Inspectors 104-1280 $1,248.00 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Dental budget as submitted (Memo dated October 7, 2024, from Health & Human Services Finance):

Dental 221-4250 $3,244.80 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Public Health budget as submitted (Memo dated October 7, 2024, from Health & Human Services Finance):

Public Health 225-4400 $2,142.40 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Public Health budget as submitted (Memo dated October 7, 2024, from Health & Human Services Finance):

Public Health 225-4400 $4,938.54 – **Total**

FY2024 Health & Human Services: a payroll budget revision to move monies within the Social Services Net Revenue budget as submitted (Memo dated October 7, 2024, from Health & Human Services Finance):

Social Services Net Revenue 224-4840 $4,534.40 – **Total**

FY2025 Health & Human Services: a payroll budget revision to move monies within the Social Services Net Revenue budget as submitted (Memo dated October 7, 2024, from Health & Human Services Finance):

Social Services Net Revenue 224-4840 $7,954.54 – **Total**

Section 1.08: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 59-24

(Band Assembly Bill 21-02-59-24)

Introduced to the Band Assembly on this
Twenty-first day of October in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twenty-first day of October in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 10-26-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 60-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Administration Policy Board on October 10, 2024.

The District III Representative introduced the following Bill on the 8th day of November, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (October 10, 2024)
Administration		
MNCAG Aanjibimaadizing 281-6765 Of FY2025 Miscellaneous Revenue Funds	$35,785.00	Attachment # 9
Community Development		
Housing Initiative 108-2350 Of FY2024 Housing Initiative Funds	$1,644,761.23	Attachment # 12
Natural Resources		
Fire Preparedness 251-5490 Of FY 2024 Self-Governance Funds	$35,633.00	Attachment # 17
Health and Human Services		
Health & Human Services 224-4780 Of FY 2025 State Grant funds	$105,980.00	Attachment # 18
Family Services 224-4800 Of FY 2024 State Grant Funds	$270,643.00	Attachment # 21
Family Services 224-4800	$337,736.00	Attachment # 22

Tribal Operations Fiscal Year 2025	Supplemental	Cross-Reference
Executive Branch		Administration Policy Board Minutes (October 10, 2024)
Administration		
CSBG Aanjibimaadizing 281-6745 Of FY 2025 State Grant Funds	$36,767.00	Attachment # 10
MN Tourism MLCV Partner 107-new Of FY 2025 MN Tourism State grant funds	$181,800.00	Attachment # 11
Community Development		
Housing Warehouse Remodel 307-0000 Of FY2025 Perm Initiative Funds & ARPA	$3,608,274.59	Attachment # 13
Housing Initiative Loans 108-2340 Of FY 2025 Unspent Housing Init. Funds	$1,067,481.00	Attachment # 14
Natural Resources		
Inflation Reduction Act 251-new Of FY 2025 Federal Grant Funds	$20,000.00	Attachment # 16
Health & Human Services		
Food Shelf 223-4560 Of FY 2025 FDPIR Supply chain Asst. Fund	$14,200.00	Attachment # 19
CD OMPA 222-new Of FY 2025 New State Grant funds	$181,818.00	Attachment # 20
Women's Shelter 223-4950 Of FY 2025 MN DPS CVS grant funds	$885,217.00	Attachment # 23
Education		
Special Ed Infant & Toddler 202-3220 Of FY 2025 BIA Ed Grant funds	$21,721.00	Attachment # 24

Section 1.02: Budget revision/transfers. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Aanjibimaadizing a payroll budget revision to move monies within the Ge-Niigaanizijig budget as submitted (Memo from Aanjibimaadizing budget dated September 23, 2024):

Aanjibimaadizing 281-6240 $414.40 – **Total**

FY2025 Aanjibimaadizing: a payroll budget revision to move monies within the Aanjibimaadizing budget as submitted (Memo from Aanjibimaadizing dated September 23, 2024):

Aanjibiimaadizing 281-6240 $3,872.80 – **Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 60-24

(Band Assembly Bill 21-02-60-24)

Introduced to the Band Assembly on this
Eighth day of November in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Eighth day of November in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 11-18-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 61-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Administration Policy Board on October 24, 2024.

The District I Representative introduced the following Bill on the 13th day of November, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2025	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (October 24, 2024)
Administration		
Aanji Emergency Serv Prog 281-6245 Of FY2025 State Grant Funds	$200,000.00	Attachment # 10
Tribal Support Enforcement 107-2210 Of FY 2025 State Grant Funds	$845,834.53	Attachment # 11
MHFA SHORP 281-NEW Of FY 2025 MN State grant funds	$836,123.00	Attachment # 12
Health & Human Services		
Family Services 224-4860 Of FY 2025 Title IV-B Sub-part funds	$15,859.00	Attachment # 13
Family Services 224-4860 Of FY 2025 Title IV-B Sub-part funds	$161.00	Attachment # 14
Department of Justice		
Office of Solicitor General 105-2150 Of FY 2025 Investment Income	$850,000.00	Attachment # 15

Section 1.02: Budget revision/transfers. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2025 Natural Resources: a payroll budget revision to pay the salary increases of the DNR biennium budget as submitted (Memo from Kelly Applegate, Commissioner of Natural Resources dated October 29, 2024):

Natural Resources 251-5370	$ 15,163.20-**Total**
Natural Resources 251-5380	$5,819.84-**Total**
Natural Resources 251-5410	$1,934.40-**Total**
Natural Resources 251-5460	$11,856.00-**Total**
Natural Resources 251-5490	$10,150.40-**Total**
Natural Resources 251-5540	$1,913.60-**Total**
Natural Resources 251-5730	$15,637.44-**Total**
Natural Resources 251-5760	$624.00-**Total**
Natural Resources 251-5810	$2,828.80-**Total**
Natural Resources 251-5950	$249.60-**Total**

FY2025 Gaming Regulatory Authority: a payroll budget revision form for Surveillance and Compliance as submitted (Memo from Michelle Pomerleau, Executive Director, GRA dated October 24, 2024)

Surveillance 106-1860	$83.20-**Total**
Compliance 106-1880	$11,793.60-**Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 61-24

(Band Assembly Bill 21-02-61-24)

Introduced to the Band Assembly on this
Thirteenth day of November in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Thirteenth day of November in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 11-29-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 62-24

A Bill for an act amending Title 19 to modify fees assessed by the Deputy Registrar. The bill also amends Title 19 to add a new section clarifying the process of changing a license plate without registration.

The District II Representative introduced the following Bill on the 13th day of November, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Amending Title 19, chapter 1.

§ 2. Definitions.

(h) **Recreational Trailer** – means a cabin trailer, collapsible cabin trailer, tent trailer, camping trailer; a trailer used to transport recreational equipment such as a snowmobile, watercraft, fishing and hunting equipment, off-road motorcycle or a bicycle, designed or intended to be drawn on the highway by an automobile or light truck that has a gross towing vehicle weight of less than 10,000 pounds.

§ 9. Deputy Registrar of Motor Vehicles.

(b) The Deputy Registrar of Motor Vehicles shall collect fees of $10.00 per vehicle registration and $10.00 per issuance of certificate of title. These fees shall be in addition to the fees imposed by 19 MLBS § 109.

Section 2. Amending Title 19, chapter 2, subchapter 1.

§ 104. Penalties.

Any person violating 19 MLBS § 101(a) may be fined not more than $100.00In addition to imposing the penalty, the Court shall order the offender to make application for registration or reregistration and to pay the fee thereof.

§ 106. Application for Registration.

§ 108. Contents, Issuance and Display of Certificates of Registration; Issuance of Duplicate Certificate.

(b) The Deputy Registrar shall issue a duplicate certificate of registration upon application thereof by any person in whose name the vehicle is registered and upon payment of a fee of $10.00.

§ 109. Annual Registration Fees.

(a) A registration fee as herein set forth shall be paid for all motor vehicles, not exempted by 10 MLBS § 102, using the public streets or roads of the Mille Lacs Reservation for each calendar year on the following basis:

(1) During the first three years of vehicle life $115.00 per calendar year.

(2) During the fourth through seventh years of vehicle life $67.00 per calendar year.

(3) During the eighth and succeeding years of vehicle life $46.00 per calendar year.

(4) A registration fee of $25.00 shall be paid for all motorcycles using the public streets and roads of the Mille Lacs Reservation for each calendar year.

(5) A two-wheeled utility trailer shall be registered annually for $25.00 or for a one-time registration fee of $50.00.

(6) Any recreational trailer with a gross weight of 3,000 pounds or less shall be registered annually for $25.00 or for a one-time fee of $50.00. Any recreational trailer with a gross weight of more than 3,000 pounds shall be registered annually for $25.00 or for a one-time fee of $100.00.

§ 111. When Registration to be Suspended.

(c) Whenever the registration of a vehicle is suspended under this section, the owner or person in possession of the registration plates shall forthwith return them to the Mille Lacs Band. Any person who fails to return the plates as required by this section shall pay a fine of $100.00.

Section 3. Amending Title 19, chapter 2, subchapter 2.

§ 143. Display of Registration Plates.

(c) If anyone is found to violate the following, he or she shall pay a fine of $100.00:

§ 144. Issuance of Duplicate Plates.

(a) Whenever a current registration plate is lost, stolen, or destroyed, the owner of the vehicle to which the plate was attached shall immediately apply to the Deputy Registrar for replacement. The Deputy Registrar shall document the loss or theft of any plate and shall not issue a plate with that number again. The Deputy Registrar shall issue a replacement plate once the owner of the vehicle provides satisfactory proof of the loss, theft, or destruction of the plate; pays a fee of $10.00; pays the cost

of replacement; and completes a form documenting the loss, theft, or destruction of the plate.

(b) Whenever a current registration plate becomes illegible, the owner of the vehicle to which the plate is attached shall apply to the Deputy Registrar for a replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of all costs and a fee of $10.00, the Deputy Registrar shall issue a replacement. Upon receipt of his replacement plate, the applicant shall forthwith surrender to the Deputy Registrar his illegible plate.

(d) Any person issued replacement plates who fails to surrender his or her illegible plates as required by subsection (c) within 30 calendar days of issuance of the replacement plates, shall pay a fine of $50.00.

Section 4. Amending Title 19, chapter 2, subchapter 2 to add a new section.

§ 146. Change of License Plate Without Registration.

A person may request a change of license plate outside their required annual registration. The first time a person requests a change of license plate outside their registration date, they shall pay $10.00. If a person requests a change of license plate outside their registration date more than once, they shall pay $10.00 each time they request a change to their license plate.

Section 5. Amending Title 19, chapter 3, subchapter 1.

§ 209. Fees.

The Secretary shall be paid the following fees:

(a) For filing an application for the first certificate of title, $10.00 by the owner of the vehicle.

(b) For the original notation and subsequent release of each security interest noted upon a certificate of title, a single fee of $10.00 by the owner of the vehicle.

(c) For a duplicate certificate of title, $10.00 by the owner of the vehicle.

Section 6. Amending Title 19, chapter 3, subchapter 2.

§ 244. Penalties.

(a) An owner of a vehicle for which a certificate of title has been issued, who upon transfer of the vehicle fails to execute and deliver the assignment and warranty of title required by 19 MLBS § 241(a) shall pay a fine of $50.00.

(b) Any transferee of a vehicle who fails to make an application for a new certificate of title within 14 calendar days of the transfer to her or him of a vehicle shall pay a fine of $100.00. A certificate is considered to have been applied for when the application accompanied by the required fee has been delivered to the Deputy Registrar or deposited in the mail properly addressed with postage required.

Section 7. Amending Title 19, chapter 2, subchapter 3.

§ 274. Release of Security Interest.

(a) Whenever there is no outstanding obligation and no commitment to make advances, incur obligations or otherwise give value, secured by the security interest in a vehicle under any security agreement between the owner and the secured party, the secured party shall execute and deliver to the Deputy Registrar a release of the security interest in the form and manner prescribed by the Secretary. If the secured party fails to execute and deliver such a release within ten (10) calendar days after receipt of the owner's written demand therefore he or she shall be liable to the owner for $50.00 and for any loss caused to the owner by such failure.

§ 276. Owner's Duties.

Section 8. Amending Title 19, chapter 4.

§ 304. Improper Use of Evidence of Registration.

Any person who does any of the following shall pay a fine of $50.00:

§ 305. False Evidence of Registration.

Whoever operates or has in his possession a motor vehicle, mobile home, trailer or semitrailer or other vehicle subject to registration which has attached thereto any plate or similar device fashioned in imitation of or altered so as to resemble the current registration plate issued by the Mille Lacs Band shall pay a fine of $50.00.

Section 9. Amending Title 19, chapter 5.

§ 401. Driver's License.

(a) Any person who shall drive or operate any motor vehicle which is self-propelled and any vehicle propelled or drawn by a self-propelled vehicle, and not deriving its power from overhead wires with the exception of snowmobiles, shall do so under a valid license issued by any domestic or foreign Department of Public Safety. Any privilege to operate a motor vehicle which is suspended by the Commissioner of Public Safety shall also suspend said right on roads under the jurisdiction of the Band. Any person who shall operate any motor vehicle without a license, shall be deemed guilty of an offense and upon conviction thereof, shall pay a fine of $500.00.

(b) Any person who is licensed in good standing to operate a motor vehicle shall have his/her license in her or his immediate possession at all times when operating a motor vehicle and shall display the same upon demand of an officer authorized by law to enforce provisions of this title. However, no person shall be found guilty of a lack of possession offense if he shall produce a valid driver's license to the Law Enforcement Administration within five (5) calendar days of the date of a citation. Any person who fails to produce a valid driver's license shall be deemed guilty of an offense, and upon conviction thereof, shall pay a fine of $200.00, and be required to post an assurance bond in an amount deemed appropriate by the Court.

(c) Any person whose driver's license or driving privilege has been suspended shall not operate a motor vehicle under any loan, lease or rental conditions from any licensed owner of a motor vehicle, except under conditions of emergency medical care for another person. Any person who shall so act, shall be deemed guilty of an offense, and upon conviction thereof, shall pay a fine of $500.00.

§ 402. Insurance.

(a) Any person who shall own a motor vehicle of a type which is required to be registered under the laws of the Non-Removable Mille Lacs Band of Chippewa Indians or licensed or is principally garaged on lands under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians shall maintain during the period in which operation or use is contemplated a plan of reparation insuring against loss resulting from liability imposed by law for injury and property damage sustained by any person arising out of the ownership, maintenance, operation or use of the motor vehicle. The non-resident owner of a motor vehicle which is not required to be registered or licensed, or which is not principally garaged on lands under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians, shall maintain such security in effect continuous throughout the period of operation, maintenance or use of such motor vehicle on the roads under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians with respect to accidents that occur on lands under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians. Any person who shall operate a motor vehicle on lands under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians without motor vehicle insurance coverage, shall be deemed guilty of operating a motor vehicle without insurance, and upon conviction thereof, shall pay a fine of $500.00.

§ 403. Careful and Prudent Driving; Speed.

(b) No person shall drive a vehicle on any road under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so restricted as may be necessary to avoid colliding with any person, vehicle or other conveyance on or

entering the roads in compliance with the legal requirement and the duty of all persons to use due care.

(c) Where no special hazard exists, a speed limit of 30 miles per hour shall be lawful, but any speeds in excess of such limit shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful. Whosoever violates the provisions of this subsection shall be deemed guilty of a speeding offense, and upon conviction thereof, shall pay a fine of $200.00 for the first offense, and an additional $200.00 for each conviction thereafter. Any person whom the Court deems to be a habitual speeder after two convictions within a six-month period of time shall be required to forfeit driving privileges and to post an assurance bond in the amount of $500.00.

§ 404. Reckless Driving.

Any person who drives or operates any motor vehicle, or any other vehicle, including a snowmobile and three-wheel vehicle, in a manner dangerous to the public safety, shall be deemed guilty of an offense of reckless driving, and upon conviction thereof, shall pay a fine of $500.00. Additionally, at the discretion of the Court, the privilege to operate a motor vehicle on any road under the jurisdiction of the Band may be suspended for a period not to exceed 180 days.

§ 405. Driving Under Influence of Alcohol or Controlled Substance.

Any person who shall operate, drive or be in physical control of any motor vehicle on the roads under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians, when such person is under the influence of alcohol, or when such person is under the influence of a controlled substance, or when such person is under the influence of any combination of the above two conditions, or when any such person's alcohol concentration is 0.10 or more, shall be deemed guilty of driving under the influence, and upon conviction thereof, shall pay a fine of $500.00, and may be required to post an assurance bond in an amount at the discretion of the Court.

§ 406. Open Bottle Law.

Any person who shall have in his/her possession on his person while in a private motor vehicle upon the roads under the jurisdiction of the Band, any bottle or receptacle containing intoxicating liquor or non-intoxicating malt liquor which has been opened, or the seal broken, or the contents of which have been partially removed. Additionally, no person shall drink or consume intoxicating liquors or non-intoxicating malt liquor in any motor vehicle when such vehicle is upon the roads under the jurisdiction of the Band. A utility compartment or glove compartment shall be deemed to be the same as "on his or her person." A person who violates the provisions of this section shall be deemed guilty of an open bottle offense, and upon conviction thereof, shall pay a fine of $500.00.

§ 407. Parking in Restricted Area.

Any employee who shall park her or his vehicle in a restricted area in violation of any order lawfully issued by the Commissioner of Administration, shall be liable upon conviction for a fine of $50.00. The Commissioner of Administration is hereby authorized to promulgate regulations governing all parking areas of employees' vehicles during employment hours. All regulations of the Commissioner of Administration shall be effective ten (10) calendar days after public posting in officially designated areas or five (5) calendar days after an electronic notification has been sent to employees. The Commissioner of Administration shall by order, designate an area of each band-owned building for such notices no later than Friday, October 3, 1986.

§ 437. Fine.

The Court of Central Jurisdiction, shall impose a fine of $50.00 for each violation of the provisions of Minnesota Statutes Chapter 169 relating to highway traffic regulations that have been incorporated by reference as traffic regulations of the Mille Lacs Band of Chippewa Indians upon conviction of violating any said regulation. This section applies only to violations found in 19 MLBS §§ 402(b), 408-436, and 504(b).

§ 438. Guilty Plea.

Any person cited by a law enforcement officer of the Mille Lacs Band for violation of traffic regulations found in 19 MLBS §§ 402(b), 408-436, and 504(b) who desires to plead guilty and forego judicial process may pay a fine of $50.00 for each such violation. Payment of the fine constitutes an admission of guilt.

Section 10. Amending Title 19, chapter 7.

§ 603. License Plates for Handicapped Persons.

(d) A certificate must be made of plastic or similar durable material, must be distinct from certificates issued before January 1, 1988, and must bear its expiration date prominently on its face. A certificate issued to a temporarily disabled person must display the date of expiration of the duration of the disability, as determined under subsection (a). Each certificate must have printed on the back a summary of the parking privileges and restrictions that apply to each vehicle in which it is used. The Deputy Registrar may charge a fee of $10.00 for a duplicate to replace a lost, stolen, or damaged certificate.

(e) If a peace officer finds that the certificate is being improperly used, the officer shall report the violation to the law enforcement officers of the Non-Removable Mile Lacs Band of Chippewa Indians and the Deputy Registrar may revoke the certificate. A person who uses the certificate in violation of this section, is guilty of an offense and is subject to a fine of $500.00.

§ 606. Signs; Parking Spaces to Be Free of Obstructions.

(b) The owner or manager of the property on which the designated parking space is located shall ensure that the space is kept free of obstruction. If the owner or manager allows the space to be blocked by snow, merchandise or similar obstruction for 24 hours after receiving a warning from a peace officer, the owner or manager is guilty of an offense and subject to a fine up to $1000.00.

§ 607. Penalty.

A person who violates 19 MLBS § 605 is guilty of an offense and shall pay a fine of $200.00. This chapter shall be enforced in the same manner as violations of other Band Statutes. Law Enforcement Officers have the authority to tag vehicles parked on reservation property in violation of 19 MLBS § 605. A physically handicapped person, or a person parking a vehicle for a handicapped person, who is charged with violating 19 MLBS § 605 because the person parked in a handicapped parking space without the required certificate or license plates, shall not be convicted if the person produces in court or before the court appearance the required certificate or evidence that the person has been issued license plates under this chapter, and demonstrate entitlement to the certificate or plates at the time of arrest or tagging.

EFFECTIVE DATE. This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.

Act 62-24
(Band Assembly Bill 21-02-62-24)

Introduced to the Band Assembly on this
Thirteenth day of November in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Thirteenth day of November in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 11-21-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 64-24

An Act of Supplemental Appropriation for the Legislative Branch for the Fiscal Year ending September 30, 2025.

The District I Representative introduced the following Bill on the 20th day of November, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2025	**Supplemental**	**Cross-Reference**
Legislative Branch		Memo from Commissioner of Finance (November 14, 2024)
Legislative		
OMB Miscellaneous Expense 101-2100 Of FY2025 Investment Income Funds	$400,000.00	

Section 1.02: Purposes of expenditures. The purpose of this expenditure is to fund a one-time employee appreciation payment in the amount of $500.00. This one-time payment shall be disbursed to all full and part-time employees of the Band. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 64-24

(Band Assembly Bill 21-02-64-24)

Introduced to the Band Assembly on this
Twentieth day of November in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twentieth day of November in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 11-26-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 65-24

An Act of Supplemental Appropriation for the December 2024, January, February and March 2025 Tribal Per Capita Distribution for the Fiscal Year ending September 30, 2025. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on November 24, 2024.

The District I Representative introduced the following Bill on the 20th day of November, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2025	Supplemental	Cross-Reference
Legislative Branch		Per Cap spreadsheet (November 14, 2024)
Per Capita Distribution		
Adults 100-1980 Of FY2025 Per Capita Distribution Funds	$9,496,553.00	
Minor Trust 100-1980 Of FY2025 Per Capita Distribution Funds	$3,302,585.00	

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 65-24

(Band Assembly Bill 21-02-65-24)

Introduced to the Band Assembly on this
Twentieth day of November in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twentieth day of November in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 11-26-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 66-24

An Act of Supplemental Appropriation for the December 2024, January, February and March 2025 Tribal General Welfare Exclusion Act ("TGWEA") Assistance Payment Programs for the Fiscal Year ending September 30, 2025. This bill has been drafted based on formal documents submitted by the Office of Management and Budget on November 14, 2024.

The District I Representative introduced the following Bill on the 20th day of November, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2025	**Supplemental**	**Cross-Reference**
Legislative Branch		TGWEA Assistance Payments Memo & documents (November 14, 2024)
Office of Management and Budget		
TGWEA Assistance Payments 100-1990 Of FY2025 Long-term Savings Investment Income Funds	$20,666,433.00	

Section 1.02: Child support. A maximum of two hundred eighty-two dollars and 50 cents ($282.50) may be intercepted from the December 2024 disbursement, and a maximum of eighty-one dollars and 00 cents ($81.00) may be intercepted from each of the January through March monthly disbursements, for the payment of ongoing child support obligations or past-due arrearages. The Band's Child Support Enforcement Program is not required to provide any notice to obligors prior to intercepting any funds as described herein.

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 66-24

(Band Assembly Bill 21-02-66-24)

Introduced to the Band Assembly on this
Twentieth day of November in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twentieth day of November in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 11-26-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 67-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive and Legislative Branches for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Commissioner of Administration on November 12, 2024; Assistant Commissioner of Administration on November 12, 2024; Commissioner of Natural Resources on October 29, 2024; Legislative Affairs Director on November 12, 2024; District 1 Legislative Assistant on November 12, 2024; and Commissioner of Finance on November 13, 2024.

The District II Representative introduced the following Bill on the 20th day of November, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive and Legislative Branches for the Fiscal Years ending September 30, 2024 and September 30, 2025

Section 1.01: Budget revision/transfers. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Administration: a payroll budget revision form for Administration as submitted (Memo from the Commissioner of Administration dated November 12, 2024)

Administration 107-2200 $2,225.60 – **Total**

FY2025 Administration: a payroll budget revision form for Administration as submitted (Memo from the Commissioner of Administration dated November 12, 2024)

Administration 107-2200 $2,849.60 – **Total**

FY2024 Administration: a payroll budget revision form for Government Affairs as submitted (Memo from the Assistant Commissioner of Administration dated November 12, 2024)

Government Affairs 107-2260 $2,641.60 – **Total**

FY2025 Administration: a payroll budget revision form for Government Affairs as submitted (Memo from the Assistant Commissioner of Administration dated November 12, 2024)

Government Affairs 107-2260 $2,724.80 – **Total**

FY2025 Natural Resources: a payroll budget revision to pay the salary increases of the DNR Office Manager, Lead Licensing Agent, and both Licensing Agent/Family Tree Specialist biennium budget as submitted (Memo from Kelly Applegate, Commissioner of Natural Resources dated October 29, 2024)

Natural Resources 251-5300 $11,299.60-**Total**

FY2025 Natural Resources: a payroll budget revision to pay the salary increases of the Enrollment Manager, Enrollment Filing Clerk, Administrative Assistant to Enrollments, and both Licensing Agent/Family Tree Specialists biennium budget as submitted (Memo from Kelly Applegate, Commissioner of Natural Resources dated October 29, 2024)

Natural Resources 251-5320 $11,861.20-**Total**

FY2025 Legislative: a payroll budget revision form for Legislative as submitted (Memo from the Legislative Affairs Director dated November 12, 2024)

Legislative 101-1400 $7,506.00 – **Total**

FY2024 Legislative: a payroll budget revision form for District III as submitted (Memo from the Commissioner of Finance dated November 13, 2024)

Legislative – D3 101-1030 $520.00 – **Total**

FY2025 Legislative: a payroll budget revision form for District III as submitted (Memo from the Commissioner of Finance dated November 13, 2024)

Legislative – D3 101-1030 $78.00 – **Total**

FY2024 Legislative: a budget revision form for District I as submitted (email from District 1 Legislative Assistant dated November 12, 2024)

Legislative-D1 101-1010 $62,660.30-**Total**

FY2024 Legislative: a budget revision form for District I as submitted (email from District 1 Legislative Assistant dated November 12, 2024)

Legislative-D1 101-1085 $49,201.43-**Total**

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 67-24

(Band Assembly Bill 21-02-67-24)

Introduced to the Band Assembly on this
Twentieth day of November in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twentieth day of November in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 11-26-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 68-24

An Act authorizing a supplemental appropriation for the purpose of authorizing expenditures for Mille Lacs Corporate Ventures for the Fiscal Year Ending September 30, 2025.This bill has been drafted based on formal documents submitted by the Commissioner of Corporate Affairs on October 22, 2024.

The District II Representative introduced the following Bill on the 20th day of November, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for Mille Lacs Corporate Ventures for the Fiscal Year ending September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Mille Lacs Corporate Ventures		Formal Request dated October 18, 2024.
Bank of America Interest and Principal Of FY2024 Long-Term Investment Income Funds	$7,629,902.00	
Sugar Maple Crossing Project Of a Re-allocation of ARPA SLFRF Funds	$880,000.00	Formal Request dated October 18, 2024.

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 68-24

(Band Assembly Bill 21-02-68-24)

Introduced to the Band Assembly on this
Twentieth day of November in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Twentieth day of November in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 11-26-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 69-24

An Act amending subchapter 3 of chapter 13 of Title 8 to address an inconsistency in language between sections 3151 and 3158.

The District I Representative introduced the following Bill on the 4th day of December, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Amending subchapter 3 of chapter 13 of Title 8.

§ 3151. Court Hearings Required.

(a) **Initial Hearing.** An initial hearing in a CHIPS petition shall be held by the end of the second working day following the filing of a CHIPS petition.

(b) **Admit/Deny Hearing.** A hearing shall be held within 30 days of the i~~I~~nitial h~~H~~earing. The purpose of the hearing is for the parents, guardian, or custodian to admit or deny the allegations contained in the p~~P~~etition and for the Court to reassess whether continuing Court intervention is necessary to protect the well-being of the child.

(c) **Formal Trial on the Issues.** If the issues are not resolved at the i~~I~~nitial i~~H~~earing or a~~A~~dmit/d~~D~~eny h~~H~~earing, the Court will set a date for a formal t~~T~~rial on the allegations contained in the p~~P~~etition. The t~~T~~rial will be no later than ~~ninety (90)~~ days after the filing of the CHIPS petition. Requests for pre-trial hearings may be granted at the Court's discretion.

(d) **Review Hearings.** Review h~~H~~earings shall be held ~~by the Court no later than once every one hundred twenty (120) calendar days after the adjudication in all CHIPS cases or as needed~~in accordance with § 3158 of this chapter.

§ 3158. ~~Six (6) Month~~ Review Hearings.

(a) **Review Requirement.** The status of all children subject to a CHIPS order shall be reviewed by the Court at least every six (6) months at a hearing to determine whether Court supervision shall continue, except that the first review following a formal trial on the issues shall be held within ~~ninety (90)~~ calendar days of the formal trial on the issues.

EFFECTIVE DATE. This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.

Act 69-24
(Band Assembly Bill 21-02-69-24)

Introduced to the Band Assembly on this
Fourth day of December in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fourth day of December in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 12-10-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 70-24

An Act amending Title 11, chapters 3 and 5 to clarify the definition of a firearm and a silencer and to modify existing firearms restrictions by authorizing the use of silencers for deer hunting and repealing language for revocation or suspension of hunting, fishing, and gathering privileges.

The District 3 Representative introduced the following Bill on the 4th day of December, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Amending Title 11, chapter 3, section 2001.

§ 2001. Definitions.

As used in this chapter, the following terms shall have the meanings given to them in this section:

(j) **"Firearm"** means any ~~gun~~ rifle, muzzleloader, shotgun, handgun, or other type of weapon which will or is designed to or may readily be converted ~~from which a~~to expel a shot or projectile ~~is discharged~~ by means of an explosive, gas or compressed air; the frame or receiver of any such weapon; or any firearm silencer.

(k) **"Firearm Silencer"** means any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer, and any part intended only for use in such assembly or fabrication.

Section 2. Amending Title 11, chapter 5.

§ 5041. Definitions.

For the purposes of this Chapter, the following terms shall be construed as follows:

(a) **"Antlerless deer"** means not having at least one antler of at least 3 inches in length.

(b) **"Bow"** means any hunting instrument designed for the purposes of propelling arrows which is drawn and held by and through the efforts of the person firing it, but does not include a crossbow.

(c) **"Crossbow"** means any device using a bow which, once drawn, is held solely by means other than the effort of the person firing it.

(d) **"Firearm"** means any rifle, muzzleloader, shotgun, handgun or other type of weapon which will or is designed to or may readily be converted to expel a shot or projectile by means of an explosive, gas or compressed air; the frame or receiver of any such weapon; or any firearm silencer~~gun~~.

(e) **"Firearm Silencer"** means any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer, and any part intended only for use in such assembly or fabrication.

§ 5048. Firearms Restrictions.

No member shall hunt deer:

(a) With a .22 rimfire rifle, 5 mm rimfire rifle, or .17 caliber centerfire rifle;

(b) With any handgun except a handgun which is loaded with .357, .41 or .44 magnum caliber ammunition;

(c) With a smooth-bore muzzle-loader less than .45 caliber or a rifled muzzleloader less than .40 caliber;

(d) With a projectile other than one with a soft point or which is an expanding bullet type;

(e) With any shell, cartridge or ammunition known as tracer shells, or with incendiary shells or cartridges (NOTE: Distress flares are exempt from this Section);

(f) With shot shells containing shot size less than 12 gauge "OO" buckshot;

(g) With "OO" buckshot when hunting in a State hunting zone during the annual State firearm (not muzzle-loader) deer season, including any extension thereof, for that zone, and no member shall possess such ammunition while hunting in such zone during such season; or

(h) With a firearm silencer ~~for a firearm or firearm equipped to have a silencer attached~~, unless legally purchased or possessed under federal law.

§ 4087. Penalties.

Any member who, for himself or herself, or by his or her agent, servant or employee, or who as an agent, servant or employee of another, violates this Chapter, shall be liable as follows:

(a) For all violations for which no other amount is specified, a civil remedial forfeiture of not more than $~~5,000.00~~800.00;

~~(b) For any violation, a revocation or suspension of hunting, fishing or gathering privileges for a period of time within the discretion of the court;~~

~~(c)~~(b) For any violation, a civil remedial forfeiture of any property, including boats, motors, vehicles, hunting or fishing equipment, or other property, used in the commission of the violation of this Chapter, within the discretion of the court;

~~(d)~~(c) For all violations, the court may order a natural resources assessment not to exceed 75% of the amount of the civil remedial forfeiture; and

~~(e)~~(d) For all violations, appropriate court costs within the discretion of the court.

Section 3. Repealing section 4094 of Title 11, chapter 5.

~~**§ 4094. Harvesting After Revocation or Suspension.**~~

~~No person whose hunting, fishing, or gathering privileges have been revoked or suspended pursuant to § 4087(b) of this Chapter shall hunt, fish, trap or gather any wild plant or wild animal, the harvest of which is regulated by this Chapter, during such revocation or suspension.~~

EFFECTIVE DATE. This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.

Version 1.3

Act 70-24
(Band Assembly Bill 21-02-70-24)

Introduced to the Band Assembly on this
Fourth day of December in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fourth day of December in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 12-10-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 71-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive and Legislative Branches for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Health and Human Services Finance Department on November 26, 2024; Chief Executive Office on November 19, 2024; and District 3 Representative on November 19, 2024.

The District II Representative introduced the following Bill on the 4th day of December, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive and Legislative Branches for the Fiscal Years ending September 30, 2024 and September 30, 2025

Section 1.01: Budget revision/transfers. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Health and Human Services: a payroll budget revision form for Circle of Health as submitted (Memo from Greta Sorvik dated November 26, 2024)

Circle of Health 100-2330 $78.40 – **Total**

FY2025 Health and Human Services: a payroll budget revision form for Circle of Health as submitted (Memo from Greta Sorvik dated November 26, 2024)

Circle of Health 107-2330 $4,076.80 – **Total**

FY2024 Health and Human Services: a payroll budget revision form for Four Winds as submitted (Memo from Greta Sorvik dated November 26, 2024)

Four Winds 222-4090 $600.00 – **Total**

FY2025 Health and Human Services: a payroll budget revision form for Four Winds as submitted (Memo from Greta Sorvik dated November 26, 2024)

Four Winds 225-4090 $40,400.00 – **Total**

FY2024 Health and Human Services: a payroll budget revision form for Chemical Dependency as submitted (Memo from Greta Sorvik dated November 26, 2024)

Public Health 225-4620 $5,844.80 – **Total**

FY2025 Health and Human Services: a payroll budget revision form for Chemical Dependency as submitted (Memo from Greta Sorvik dated November 26, 2024)

Public Health – 225-4620 $5,844.80 – **Total**

FY2024 Health and Human Services: a payroll budget revision form for Public Health as submitted (Memo from Greta Sorvik dated November 26, 2024)

Public Health – 225-4400 $1,102.40 – **Total**

FY2025 Health and Human Services: a payroll budget revision form for Public Health as submitted (Memo from Greta Sorvik dated November 26, 2024)

Chemical Dependency – 222-4620 $1,102.40 – **Total**

FY2024 Chief Executive: a budget revision form for Chief Executive Office as submitted (email from Deputy Assistant dated November 19, 2024)

Chief Executive 102-2000 $43,123 – **Total**

FY2024 Legislative: a budget revision form for District III as submitted (email from District 3 Legislative Assistant dated November 19, 2024)

Legislative-D3 101-1030-5 $13,878.32 – **Total**

Section 1.02: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 71-24

(Band Assembly Bill 21-02-71-24)

Introduced to the Band Assembly on this
Fourth day of December in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Fourth day of December in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 12-10-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Act 72-24

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive, Legislative, and Judicial Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025. This bill has been drafted based on formal documents submitted by the Administration Policy Board on November 14, 2024; D2a Legislative Aide dated December 06, 2024; Legislative Affairs Director dated December 06, 2024; Tribal Court Administrator dated November 25, 2024 & December 05, 2024.

The District III Representative introduced the following Bill on the 11th day of December, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive, Legislative, and Judicial Branch for the Fiscal Years ending September 30, 2024 and September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2024	**Supplemental**	**Cross-Reference**
Executive Branch		Administration Policy Board Minutes (November 14, 2024)
Health & Human Services		
HHS Waivered Services 223-4460 Of FY 2024 Grant Funds	$100,000.00	Attachment # 17
HHS SUD Traditional Healing 222-4652 Of FY 2024 Grant Funds	$154,687.00	Attachment # 18

Tribal Operations Fiscal Year 2025	**Supplemental**	**Cross-Reference**
Department of Justice		
MLBO Tribal Police 105-NEW Of FY 2025 Grant Funds	$197,109.00	Attachment # 15
MLBO Tribal Police 105-NEW Of FY 2025 Grant Funds	$707,370.00	Attachment # 16
Health & Human Services		
HHS Building Renovation 308-0000 Of a Re-Appropriation of FY 2024		

Permanent Initiative Funds	$167,000.00	Attachment # 19
Psychiatry MH 222-4425 Of FY 2025 Miscellaneous Revenue	$5,293,170.00	Attachment # 20
Money Follows the Person Initiative 221-4265 Of FY 2025 Grant Funds	$707,897.00	Attachment # 21
GEAR Capacity Building Grant 223-4750 Of FY 2025 Grant Funds	$250,000.00	Attachment # 22
Child Advocacy Center 223-4855 Of FY 2025 CJAX Funds	$450,000.00	Attachment # 23

Administration

Information System Tower Project 107-2255 Of a Re-Appropriation of FY 2024 ARPA Funds	$400,000.00	Attachment # 24
Aanjibimaadizing SNAP-ED 281-NEW OF FY 2025 Grant Funds	$150,000.00	Attachment # 25

Community Development

Aazhoomoog Community Center Renovation 306-0000 Of a Re-Appropriation of FY 2024 Permanent Initiative Funds	$1,000,000.00	Attachment # 26
Community Development Conference Room 313-0000 Of a Re-Appropriation of FY 2025 Perm Initiative Funds	$100,000.00	Attachment # 27

Natural Resources

DNR General 251-5300 Of FY 2025 Permanent Initiative Funds	$95,559.00	Attachment # 28
DNR General 251-5300 Of a Re-Appropriation of FY 2024 Permanent Initiative Funds	$150,103.00	Attachment # 29
Tribal Historic Preservation Office 251-5460 Of FY 2025 Grant Funds	$111,424.00	Attachment # 30

Judicial Branch

Tribal Court FHTWC 103-15XX

Of FY 2025 Grant funds	$516,703.00	Memo from Court Administration dated November 25, 2024
Tribal Court Full Court 100-1930-1 Of FY 2025 ARPA SLFRF Funds	$16,000.00	Memo from Court Administration dated November 25, 2024
Tribal Court Administration 103-1500 Of FY 2025 Self-Governance Funds	$16,002.00	Memo from Court Administration dated December 5, 2024
Tribal Court Administration 103-1500-4 Of FY 2025 Self-Governance Funds	$13,993.00	Memo from Court Administration dated December 5, 2024

Section 1.02: Budget revision/transfers. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2024 Administration: a budget revision to move monies within the Aanjibimaadizing PL 477 budget to clear up negative amounts for year-end cleanup as submitted (Attachment # 9):

Aanjibimaadizing PL 477 $1,677,920.00 – **Total**

FY2024 Aanjibimaadizing: a budget transfer from Rosetta Stone to Rosetta to cover final operating expenses as submitted (Attachment # 10).

Aanji-Rosetta Stone ($14,443.73) to

Aanjibimaadizing-Rosetta $14,443.73-**Total**

FY2025 Health & Human Services: a budget revision to move monies within the Waivered Services budget with granting agency approval for capital expenses as submitted (Attachment # 12):

Waivered Services 223-4945 $30,736.00 – **Total**

FY2024 Nay Ah Shing School: a payroll budget revision for NASS ISEP as submitted (Memo from Lehtitia Weiss, Abinoojiyag Principal dated November 22, 2024):

NASS ISEP 203-3200 $72,924.80-**Total**

FY2024 Nay Ah Shing School: a payroll budget revision for Title 1 as submitted (Memo from Lehtitia Weiss, Abinoojiyag Principal dated November 22, 2024):

Title 1203-3230 $17,555.20-**Total**

FY2025 Health & Human Services: a payroll budget revision for Chemical Dependency as submitted (Memo from Greta Sovik, HHS Finance dated December 06, 2024)

Chemical Dependency 222-4620 $1,256.11-**Total**

FY2025 Health & Human Services: a payroll budget revision for Public Health as submitted (Memo from Greta Sorvik, HHS Finance dated December 06, 2024)

Public Health 225-4400 $100,588.80-**Total**

FY2025 Health & Human Services: a payroll budget revision for Emergency Services as submitted (Memo from Greta Sorvik, HHS Finance dated December 06, 2024)

Emergency Services 223-4160 $11,803.38-**Total**

FY2025 Legislative: a budget transfer from Legislative to District I Legislative for the New Years Eve Pow Wow. (Memo from the Legislative Affairs Director dated December 06, 2024).

Legislative 101-1400 ($1,000.00)**to**

District I Legislative 101-1010 $1,000.00-**Total**

FY2024 Legislative: a budget transfer from District II Powwow to District II Legislative for year-end cleanup as submitted (Memo from District 2a Legislative Aide, dated December 6, 2024).

District II Powwow 101-1160 ($3,070.76) to

District II Legislative 101-1020 $3,070.76-**Total**

Section 1.03: Grant funds. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2024, as appropriate. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified immediately so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 1.04: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 72-24

(Band Assembly Bill 21-02-72-24)

Introduced to the Band Assembly on this
Eleventh day of December in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Eleventh day of December in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 12-18-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

ACT 73-24

A Bill Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget revision(s)/transfer(s) for the Executive Branch for the Fiscal Year ending September 30, 2025. This bill has been drafted based on formal documents submitted by HHS Finance dated December 10, 2024; Deputy Assistant dated December 13, 2024; and Commissioner of Finance on Decmeber 18, 2024

The District I Representative introduced the following Bill on the 18th day of December, 2024.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Executive Branch for the Fiscal Year ending September 30, 2025.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

Tribal Operations Fiscal Year 2025	**Supplemental**	**Cross Reference**
Legislative		
ARPA SLFRF 100-1930 Of a re-apropriation of FY 2024 ARPA SLFRF Funds	$10,946.94	Memo from the Commissioner of Finance dated December 17, 2024

Section 1.02: Budget revision/transfers. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2025 Health & Human Services: a payroll budget revision for Chemical Dependency as submitted (Memo from Greta Sovik, HHS Finance dated December 10, 2024)

Social Service Net Revnue 224-4840 $278,701.60-**Total**

FY2025 Legislative: a budget transfer from Chief Executive Office to District I Legislative for the New Years Eve Pow Wow. (Memo from the Deputy Assistant dated December 13, 2024).

Chief Executive Budget 102-2000 ($1,000.00) to

District I Legislative 101-1010 $1,000.00-**Total**

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.

Act 73-24

(Band Assembly Bill 21-02-73-24)

Introduced to the Band Assembly on this
Eighteenth day of December in the year
Two thousand twenty-four.

Passed by the Band Assembly on this
Eighteenth day of December in the year
Two thousand twenty-four.

Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 12-30-24

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Chapter 2 – Resolutions

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Revisor's Note

Resolutions that were denied are not listed. Resolutions are denied if they are not signed by the Speaker of the Assembly and the Chief Executive.

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-01-24

A RESOLUTION AUTHORIZING THE MILLE LACS CORPORATE VENTURES TO EXPEND FUNDS FROM FY2024 CAPITAL BUDGET FOR GRAND CASINO HINCKLEY, MILLE LACS, AND JOINT CASINO PROJECTS

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly-elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, the Band Assembly is authorized under 3 MLBS § 3(b) to appropriate all Band revenue regardless of source; and

WHEREAS, the Band Assembly is also authorized under 3 MLBS § 3(d) to adopt resolutions to promote the general welfare of the people of the Band; and

WHEREAS, Joseph S. Nayquonabe, Commissioner of Corporate Affairs, formally requested approval, received on December 14, 2023, to open 2024 capital projects for quarters 1 and 2 as follows:

Grand Casino Mille Lacs Projects:

Slot Product (M24-SLT-01) in the amount of: Two million, nine hundred thousand dollars and no cents ($2,900,000.00); and

Surveillance Recording/Video Management Project (M24-SUR-01) in the amount of: Three hundred thirty-five thousand dollars and no cents ($335,000.00); and

Emergency Capital (M24-EMR-01) in the amount of: Three hundred thirty-three thousand dollars and no cents ($333,000.00); and

Grand Casino Hinckley Projects:

Slot Product (H24-SLT-01) in the amount of: Two million, five hundred thousand dollars and no cents ($2,500,000.00); and

Electrical Upgrade (H24-PRO-01) in the amount of: One million, eight hundred thousand dollars and no cents ($1,800,000.00); and

Emergency Capital (H24-EMR-01) in the amount of: Two hundred sixty thousand dollars and no cents ($260,000.00); and

Joint Grand Casino Projects:

DIG Website Enhancement (H24-DIG-01 and M24-DIG-01) in the amount of: Five hundred thousand dollars and no cents ($500,000.00); and

DIG Marketing Automation (H24-DIG-02 and M24-DIG-02) in the amount of: Three hundred seventy-two thousand, five hundred dollars and no cents ($372,500.00); and

DIG Grand Casino App (H24-DIG-03 and M24-DIG-03) in the amount of: Five hundred thousand dollars and no cents ($500,000.00); and

DIG Grand Customer Data Platform (H24-DIG-04 and M24-DIG-04) in the amount of: Three hundred seventy-seven thousand, five hundred dollars and no cents ($377,500.00); and

Telecom Hardware and Software Project (H24-SYS-02 and M24-SYS-02) in the amount of: Four hundred twenty-five thousand dollars and no cents ($425,000.00).

NOW, THEREFORE, BE IT RESOLVED, the Band Assembly hereby approves the Mille Lacs Corporate Ventures expenditure listed hereinabove from the 2024 Capital Budget.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 9th day of January, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-02-24

A RESOLUTION OF SUPPORT FOR THE SUBMISSION OF A GRANT APPLICATION TO MINNESOTA DEPARTMENT OF TRANSPORTATION FOR THE TRANSPORTATION ALTERNATIVES PROGRAM GRANT

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to adopt resolutions to promote the general welfare of the people of the Band and to ratify agreements, contracts, cooperative and reciprocity agreements, and memoranda of understanding; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, the Band Assembly has established as a priority the improvement of spiritual, physical, mental, social, and economic well-being of the people of the Band; and

WHEREAS, the Band's Community Development Department is created under Title 12 and shall have the authority to secure funds from the government of the United States or any private foundation for the purpose of fulfilling their legal mandate; and

WHEREAS, the Band Assembly recognizes the importance and purpose of safe alternatives to vehicle transportation under the purview of the Band, and that we are required to maintain the facility for the useful life of the project; and

WHEREAS, the Band Assembly recognizes that the Band is requesting to utilize BIA Transportation Funds in the amount of $200,000.00 for the purpose of providing our required 20% match.

NOW, THEREFORE, BE IT RESOLVED that the Band Assembly does hereby authorize and approve the executive branch's request for approval to submit MN DOT Transportation Alternatives Program Application.

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DISTRICT III
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WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 17th day of January, 2024 at Nayahshing, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of Assembly

Sponsor: District II Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-03-24

A RESOLUTION APPROVING THE 2024 MEMBERSHIP INTO THE INDIAN GAMING ASSOCIATION

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to "adopt resolutions" and "ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding;" and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, in a letter dated January 5, 2024, the Band's Chief Executive "recommend[ed] and request[ed] that the Band Assembly ratify and renew the Band's agreement to maintain its status as a member of the Indian Gaming Association ("IGA"), formerly known as the National Indian Gaming Association("NIGA"); and

WHEREAS, the Band wishes to remain a member tribe in good standing with IGA.

NOW, THEREFORE, BE IT RESOLVED, that tribal funds in the amount of $25,000.00 (Twenty-five thousand dollars and no cents), based on gross gaming revenue, and expended by Mille Lacs Corporate Ventures, is authorized for payment for such membership in IGA.

BE IT FURTHER AND FINALLY RESOLVED, that the Band Assembly and Chief Executive do hereby authorize: Melanie Benjamin, Chief Executive; Sheldon Boyd, Secretary-Treasurer; Virgil Wind, District I Representative; Wendy Merrill, District II Representative; and Harry Davis, District III Representative to become members in good standing in order to fulfill their responsibilities as Official Delegates and Alternate Delegates to the Indian Gaming Association.

DELEGATE: Melanie Benjamin, Chief Executive
Signature: Melanie Benjamin

ALTERNATE: Sheldon Boyd, Secretary-Treasurer
Signature:

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ALTERNATE: Virgil Wind, District I Representative
Signature: _____

ALTERNATE: Wendy Merrill, District II Representative
Signature: _____

ALTERNATE: Harry Davis, District III Representative
Signature: _____

OFFICIAL TRIBAL ADDRESS: Mille Lacs Band of Ojibwe
43408 Oodena Drive
Onamia, MN 56359

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 17th day of January, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

_____
Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District II Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-04-24

A RESOLUTION IN SUPPORT OF A MEMORANDUM OF AGREEMENT BETWEEN THE MINNESOTA TRIBAL COLLABORATIVE AND THE MILLE LACS BAND OF OJIBWE TO PREVENT AND END HOMELESSNESS

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to "adopt resolutions" and "ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding;" and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, the Band wishes to enter into a Memorandum of Agreement ("MOA") with the Minnesota Tribal Collaborative who will collaboratively apply for and administer funding to prevent and end homelessness between members of the Minnesota Tribal Collaborative; and

WHEREAS, since 2006, tribal nations have participated in the triennial Reservation Homeless Survey resulting in the seven northern nations developing plans to prevent and end homelessness; and

WHEREAS, starting in 2014, multi tribal collaboratives were added to the priority for funding for state grants to prevent and end homelessness; and

WHEREAS, authorized representatives and responsible authority tribes are: Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, Red Lake, Upper Sioux community, and White Earth; and

WHEREAS, this MOA honors the sovereignty of each Tribal Nation and the intent of the MOA is to delineate roles, responsibilities, and coordination for all the parties.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly hereby expresses its support for the Memorandum of Agreement between the Minnesota Tribal Collaborative and Band.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 24th day of January, 2024, at Nayahshing, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

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IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-05-24

A RESOLUTION APPROVING THE CONTINUANCE OF THE MILLE LACS BAND GOVERNMENT, CIRCLE OF HEALTH, GAMING REGULATORY AUTHORITY, DEPARTMENT OF ATHLETIC REGULATION, SUPPLEMENTAL INCOME PROGRAM FOR ELDERS, TRIBAL EMPLOYMENT RIGHTS OFFICE, HOUSING INITIATIVE, AND BAND MEMBER LEGAL SERVICES FISCAL OPERATIONS UNTIL FEBRUARY 29, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, 3 MLBS § 21 requires that all fiscal operations under the jurisdiction of the Band shall cease as of midnight on the last day of the biennium, unless the Band Assembly adopts a continuing resolution prior to such time; and

WHEREAS, Ordinance 59-22, to fund the operations of the Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services for Fiscal Years 2022 and 2023, expired September 30, 2023; and

WHEREAS, the Band Assembly agrees to adopt a third (3rd) continuing resolution until February 29, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services fiscal operations until February 29, 2024; and

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WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 31st day of January, 2024, at Nayahshing, Minnesota, by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District III Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-06-24

A RESOLUTION APPROVING THE CONTINUANCE OF MILLE LACS CORPORATE VENTURES, NON-GAMING, AND GAMING FISCAL OPERATIONS UNTIL FEBRUARY 29, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, Band Appropriation Bills 17-04-54-17, 17-04-55-17, and 17-04-56-17 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2018 expired September 30, 2018; and

WHEREAS, Band Appropriation Bills 19-04-03-22, 19-04-04-22, and 19-04-05-22 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2022 were vetoed by the Chief Executive on October 23, 2021; and

WHEREAS, Band Assembly agrees to adopt a thirty-third (33rd) continuing resolution for said operations to continue to operate until February 29, 2024, on the grounds that Fiscal Year 2023 or Fiscal Year 2024 budgets have not been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of the MLCV, Non-Gaming, and Gaming fiscal operations until February 29, 2024.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 31st day of January, 2024, at Nayahshing, Minnesota, by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District I Representative

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THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 21-01-07-24

A RESOLUTION DENOUNCING THE IMPROPER SUSPENSION OF AN APPOINTED OFFICIAL BY THE CHIEF EXECUTIVE

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3 (d), the Band Assembly has the authority to adopt resolutions; and

WHEREAS, Maria Costello is the Assistant Commissioner of Administration for the Mille Lacs Band of Ojibwe; and

WHEREAS, Commissioner Costello recently played a critical role in ending alleged harassment of Band employees; and

WHEREAS, Chief Executive Melanie Benjamin suspended Commissioner Costello for three days without pay as a result of the Commissioner's efforts; and

WHEREAS, 4 MLBS § 15 grants the Joint Session of the Band Assembly the power to suspend an appointed official during the process of a recall of an appointed official; and

WHEREAS, 6 MLBS § 1162 grants the Joint Session of the Band Assembly the exclusive power to suspend Band officials for ethics violations without with or without pay; and

WHEREAS, Resolution 42-38 of the Mille Lacs Band grants the Joint Session of the Band Assembly the exclusive power to impeach an appoint official; and

WHEREAS, 4 MLBS § 6 articulates the "Powers and Duties of the Chief Executive" but does not grant the Chief Executive express authority to suspend an executive officer without pay; and

WHEREAS, the Joint Session of the Band Assembly, therefore, has exclusive authority to suspend and impeach appointed officials; and

WHEREAS, the Joint Session of the Band Assembly was not convened to consider disciplinary action against Commissioner Costello;

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby determines and holds that Commissioner Costello's suspension was improper;

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BE IT FURTHER RESOLVED, that only the Joint Session of the Band Assembly has the authority to determine disciplinary actions against appointed officials;

BE IT FURTHER AND FINALLY RESOLVED, that the Band Assembly does hereby call upon the Chief Executive to correct in any way practicable the harm caused to Commissioner Costello by the suspension without pay;

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 21st day of February, 2024, at Nayahshing, Minnesota, by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-08-24

A RESOLUTION APPROVING THE CONTINUANCE OF THE MILLE LACS BAND GOVERNMENT, CIRCLE OF HEALTH, GAMING REGULATORY AUTHORITY, DEPARTMENT OF ATHLETIC REGULATION, SUPPLEMENTAL INCOME PROGRAM FOR ELDERS, TRIBAL EMPLOYMENT RIGHTS OFFICE, HOUSING INITIATIVE, AND BAND MEMBER LEGAL SERVICES FISCAL OPERATIONS UNTIL MARCH 31, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, 3 MLBS § 21 requires that all fiscal operations under the jurisdiction of the Band shall cease as of midnight on the last day of the biennium, unless the Band Assembly adopts a continuing resolution prior to such time; and

WHEREAS, Ordinance 59-22, to fund the operations of the Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services for Fiscal Years 2022 and 2023, expired September 30, 2023; and

WHEREAS, the Band Assembly agrees to adopt a fourth (4th) continuing resolution until March 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services fiscal operations until March 31, 2024; and

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WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 28th day of February, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District II Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-09-24

A RESOLUTION APPROVING THE CONTINUANCE OF MILLE LACS CORPORATE VENTURES, NON-GAMING, AND GAMING FISCAL OPERATIONS UNTIL MARCH 31, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, Band Appropriation Bills 17-04-54-17, 17-04-55-17, and 17-04-56-17 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2018 expired September 30, 2018; and

WHEREAS, Band Appropriation Bills 19-04-03-22, 19-04-04-22, and 19-04-05-22 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2022 were vetoed by the Chief Executive on October 23, 2021; and

WHEREAS, Band Assembly agrees to adopt a thirty-fourth (34th) continuing resolution for said operations to continue to operate until March 31, 2024, on the grounds that Fiscal Year 2023 or Fiscal Year 2024 budgets have not been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of the MLCV, Non-Gaming, and Gaming fiscal operations until March 31, 2024.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 28th day of February, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District III Representative

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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-10-24

A RESOLUTION REQUESTING THAT THE CHIEF EXECUTIVE NOMINATE REVOLVING LOAN FUND COMMITTEE MEMBERS

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the authority to adopt resolutions; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, Band member employees need access to financial resources on reasonable terms; and

WHEREAS, pursuant to 17 MLBS, Chapter 1, the Band government created a Revolving Loan program to meet this need, and the program is currently inactive; and

WHEREAS, the Band Assembly wishes to reinstitute the program to support and improve the lives of Band member employees and their families; and

WHEREAS, pursuant to 4 MLBS § 7, the Executive Branch has a duty to "faithfully and impartially execute the laws of the Band;"

WHEREAS, pursuant to 17 MLBS § 4(c), the Band Assembly shall submit to the Chief Executive the names of at least seven people capable of serving on the Revolving Loan Fund Committee; and

WHEREAS, pursuant to 17 MLBS § 4(c), the Chief Executive shall nominate six of them to serve on the Revolving Loan Fund Committee; and

WHEREAS, on November 30, 2023, the Band Assembly submitted a list of eight Loan Committee candidates to the Chief Executive and requested nominees; and

WHEREAS, on January 4, 2024, the Band Assembly submitted a letter to the Chief Executive asking her to expedite the nominations; and

WHEREAS, more than three months after the Assembly's first request, the Chief Executive still has not delivered a list of nominees, a violation of Band statute; and

WHEREAS, the Chief Executive's refusal to follow statute is blocking Band employees' access to a critical financial resource for which they may qualify under Band law.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby requests that the Chief Executive comply with the law and submit the six nominees to the Assembly for ratification.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 20th day of March, 2024, at Nayahshing, Minnesota, by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-11-24

A RESOLUTION APPROVING THE CONTINUANCE OF THE MILLE LACS BAND GOVERNMENT, CIRCLE OF HEALTH, GAMING REGULATORY AUTHORITY, DEPARTMENT OF ATHLETIC REGULATION, SUPPLEMENTAL INCOME PROGRAM FOR ELDERS, TRIBAL EMPLOYMENT RIGHTS OFFICE, HOUSING INITIATIVE, AND BAND MEMBER LEGAL SERVICES FISCAL OPERATIONS UNTIL APRIL 30, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, 3 MLBS § 21 requires that all fiscal operations under the jurisdiction of the Band shall cease as of midnight on the last day of the biennium, unless the Band Assembly adopts a continuing resolution prior to such time; and

WHEREAS, Ordinance 59-22, to fund the operations of the Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services for Fiscal Years 2022 and 2023, expired September 30, 2023; and

WHEREAS, Act 19-24, to fund the Government Operations for the Executive, Legislative, and Judicial Branches; Circle of Health; Gaming Regulatory Authority; Department of Athletic Regulation; Supplemental Income Program for Elders; Tribal Employments Rights Office; and Band Member Legal Services for Fiscal Years 2024, and 2025, was vetoed on March 19, 2024; and

WHEREAS, the Band Assembly agrees to adopt a fifth (5th) continuing resolution until April 30, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services fiscal operations until April 30, 2024; and

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 27th day of March, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-12-24

A RESOLUTION APPROVING THE CONTINUANCE OF MILLE LACS CORPORATE VENTURES, NON-GAMING, AND GAMING FISCAL OPERATIONS UNTIL APRIL 30, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, Band Appropriation Bills 17-04-54-17, 17-04-55-17, and 17-04-56-17 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2018 expired September 30, 2018; and

WHEREAS, Band Appropriation Bills 19-04-03-22, 19-04-04-22, and 19-04-05-22 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2022 were vetoed by the Chief Executive on October 23, 2021; and

WHEREAS, Band Assembly agrees to adopt a thirty-fifth (35th) continuing resolution for said operations to continue to operate until April 30, 2024, on the grounds that Fiscal Year 2023 or Fiscal Year 2024 budgets have not been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of the MLCV, Non-Gaming, and Gaming fiscal operations until April 30, 2024.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 27th day of March, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District II Representative

DI
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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-13-24

A RESOLUTION TO CANCEL RESOLUTION 12-01-126-06 GRANTING A LAND LEASE FOR MILLE LACS BAND MEMBER [redacted]

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to adopt resolutions to promote the general welfare of the people of the Band and to ratify agreements, contracts, cooperative and reciprocity agreements, and memoranda of understanding; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, tribal land leases are required on all tribal lands of the Mille Lacs Band of Ojibwe for agricultural purposes, to establish a home-site or a seasonal recreational residence, and for any commercial activity, or to acquire financing for a home; and

WHEREAS, Resolution 12-01-126-06 authorized a residential land lease with an attached mortgage to Band Member [redacted] for the purpose of obtaining a home; and

WHEREAS, the land lease was to be for a period of 35 years and renewable for an additional 15 years, subject to the lease provisions, effective upon date of approval, for the property described herein; and

WHEREAS, said land is described as follows:

Part of Tract 410T001001, located in the North One-Half of the Northeast One-Quarter (N1/2 of NE 1/4) of Section Twenty (20), Township Forty-three North (43N) Range Twenty-seven West (27W), Mille Lacs County, Fourth Principle Meridian, more particularly described as follows:

Lot Five (5), Bugg Hill Plat; and

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WHEREAS, the lessee has entered into a purchase agreement to sell the home situated on the leased property to another Mille Lacs Band Member contingent upon satisfaction of the outstanding mortgage and the Band Member purchaser obtaining a land lease for the subject property. The lessee will voluntarily relinquish her land lease authorized by tribal Resolution #12-01-126-06 and requests that Band Assembly approve a lease to Band Member purchaser as evidenced by the Statement of Intent (attached to this Resolution) as long as the closing on the sale of the home and other personal property is consummated.

NOW, THEREFORE, BE IT RESOLVED, the Mille Lacs Band Assembly hereby approves the cancellation of Resolution 12-01-126-06 when adopted and to become effective upon the execution of the sale and purchase of the lessee's home situated upon the subject property; and

BE IT FURTHER AND FINALLY RESOLVED, that should the lessee not close the sale of the home, her lease shall remain in full force and effect pending further consultation with Community Development and Land Management offices.

WE DO HEREBY CERTIFY, that the foregoing Resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 10th day of April, 2024 at Nayahshing, Minnesota by a vote of ___FOR, ___ AGAINST, ___ SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this Resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

RESOLUTION 21-01-14-24

A RESOLUTION AUTHORIZING A LAND LEASE WITH ATTACHED MORTGAGE FOR RESIDENTIAL PURPOSES TO MILLE LACS BAND MEMBER [redacted]

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to adopt resolutions to promote the general welfare of the people of the Band and to ratify agreements, contracts, cooperative and reciprocity agreements, and memoranda of understanding; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, tribal land leases are required on all tribal lands of the Mille Lacs Band of Ojibwe for agricultural purposes, to establish a home-site or a seasonal recreational residence, and for any commercial activity, or to acquire financing for a home; and

WHEREAS, Mille Lacs Band Member [redacted] respectfully requests a land lease for residential purposes; and

WHEREAS, Mille Lacs Band Member [redacted] has been approved for a mortgage and promissory note for financing from the Minnesota Chippewa Tribe Home Loan Program for an existing home built on the subject real property and has entered into a Purchase Agreement to purchase the home and other personal property; and

WHEREAS, said land is described as follows:

Part of Tract 410T001001, located in the North One-Half of the Northeast One-Quarter (N1/2 of NE 1/4) of Section Twenty (20), Township Forty-three North (43N) Range Twenty-seven West (27W), Mille Lacs County, Fourth Principle Meridian, more particularly described as follows:

Lot Five (5), Bugg Hill Plat; and

WHEREAS, the lease for the property described herein will be for a period of 25 years and renewable for an additional 25 years, subject to the lease provisions, and contingent upon the satisfaction of that certain mortgage currently outstanding against the Seller and in favor of the Mille Lacs Band for the home to be purchased. Such lease may be approved and effective when adopted herein but will be subject to recission should the transaction contemplated and described in the signed Request and Consent Agreement attached to this Resolution not be consummated.

NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs Band Assembly hereby authorizes a land lease for the property described herein for residential purposes be issued to Mille Lacs Band Member [redacted] for a period of 25 years, renewable for an additional 25 years subject to the lease provisions and in compliance with the terms of the Request and Consent Agreement.

BE IT FURTHER RESOLVED, that the lessee will utilize the land in conformity with the provisions of the lease within twelve (12) months of the effective date of the lease, and if all terms of the lease are not met, the land will revert to the Mille Lacs Band of Ojibwe.

BE IT FURTHER AND FINALLY BE IT RESOLVED, that this lease shall be null and void should the lessee abandon or vacate the above-described property for more than thirty (30) consecutive days after the 1st first year anniversary of the effective date of the lease without the prior approval of the Band Assembly.

WE DO HEREBY CERTIFY, that the foregoing Resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 10th day of April, 2024 at Nayahshing, Minnesota by a vote of ___ FOR, ___ AGAINST, ___ SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this Resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

MILLE LACS BAND OF OJIBWE

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-15-24

A RESOLUTION APPROVING THE CONTINUANCE OF THE MILLE LACS BAND GOVERNMENT, CIRCLE OF HEALTH, GAMING REGULATORY AUTHORITY, DEPARTMENT OF ATHLETIC REGULATION, SUPPLEMENTAL INCOME PROGRAM FOR ELDERS, TRIBAL EMPLOYMENT RIGHTS OFFICE, HOUSING INITIATIVE, AND BAND MEMBER LEGAL SERVICES FISCAL OPERATIONS UNTIL MAY 31, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, 3 MLBS § 21 requires that all fiscal operations under the jurisdiction of the Band shall cease as of midnight on the last day of the biennium if the Band Assembly fails to pass a two-year appropriations bill or if the Chief Executive vetoes the appropriations bill, unless the Band Assembly adopts a continuing resolution prior to such time; and

WHEREAS, Ordinance 59-22, to fund the operations of the Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services for Fiscal Years 2022 and 2023, expired September 30, 2023; and

WHEREAS, Act 19-24, to fund the Government Operations for the Executive, Legislative, and Judicial Branches; Circle of Health; Gaming Regulatory Authority; Department of Athletic Regulation; Supplemental Income Program for Elders; Tribal Employments Rights Office; and Band Member Legal Services for Fiscal Years 2024, and 2025, was vetoed on March 19, 2024; and

WHEREAS, 3 MLBS § 17 requires the Chief Executive and Band Assembly to overcome the veto by agreeing to compromise legislation; and

WHEREAS, the Band Assembly and Chief Executive have not reached a compromise; and

WHEREAS, the Band Assembly agrees to adopt a sixth (6th) continuing resolution until May 31, 2024.

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NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services fiscal operations until May 31, 2024; and

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 24th day of April, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District II Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-16-24

A RESOLUTION APPROVING THE CONTINUANCE OF MILLE LACS CORPORATE VENTURES, NON-GAMING, AND GAMING FISCAL OPERATIONS UNTIL MAY 31, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, Band Appropriation Bills 17-04-54-17, 17-04-55-17, and 17-04-56-17 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2018 expired September 30, 2018; and

WHEREAS, Band Appropriation Bills 19-04-03-22, 19-04-04-22, and 19-04-05-22 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2022 were vetoed by the Chief Executive on October 23, 2021; and

WHEREAS, Band Assembly agrees to adopt a thirty-sixth (36th) continuing resolution for said operations to continue to operate until May 31, 2024, on the grounds that Fiscal Year 2023 or Fiscal Year 2024 budgets have not been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of the MLCV, Non-Gaming, and Gaming fiscal operations until May 31, 2024.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 24th day of April, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District III Representative

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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-17-24

RESOLUTION APPROVING THE FY 2024 DUE DILIGENCE REQUIREMENT FOR THE MINNESOTA HOUSING DEPARTMENT STABLE HOUSING ORGANIZATION RELIEF PROGRAM

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Mille Lacs Band of Ojibwe ("Band") a federally-recognized Indian Tribe; and

WHEREAS, according to 3 MLBS § 2(b), the Band Assembly is empowered to "appropriate all Band revenue regardless of source[;]" and

WHEREAS, according to 3 MLBS § 2(d), the Band Assembly is empowered to adopt resolutions to promote the general welfare of the people of the Band; and

WHEREAS, the Band Assembly has established as a priority the improvement of spiritual, physical, mental, social, and economic well-being of the people of the Band; and

WHEREAS, Band Assembly recognizes the importance and purpose of State and other grant funded assistance for home owners, renters, and others whose housing stability has been impacted by the COVID pandemic; and

WHEREAS, the Band Assembly recognizes that the Band is not required to commit cost-sharing or in-kind contribution as a component of this grant.

NOW, THEREFORE, BE IT RESOLVED that the Band Assembly does hereby authorize and approve the executive branch's submission of an application to the Minnesota Department of Housing for the purpose of obtaining Fiscal Year 2024 grant funding through the Stable Housing Relief Program.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 15th day of May, 2024 at Nayahshing, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

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IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-18-24

RESOLUTION APPROVING THE FY 2024-29 DUE DILIGENCE REQUIREMENT FOR THE MINNESOTA HOUSING DEPARTMENT FAMILY HOMELESS PREVENTION AND ASSISTANCE PROGRAM

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Mille Lacs Band of Ojibwe ("Band") a federally-recognized Indian Tribe; and

WHEREAS, according to 3 MLBS § 2(b), the Band Assembly is empowered to "appropriate all Band revenue regardless of source[;]" and

WHEREAS, according to 3 MLBS § 2(d), the Band Assembly is empowered to adopt resolutions to promote the general welfare of the people of the Band; and

WHEREAS, the Band Assembly has established as a priority the improvement of spiritual, physical, mental, social, and economic well-being of the people of the Band; and

WHEREAS, Band Assembly recognizes the importance and purpose of State and other grant funded assistance for home owners, renters, and others whose housing stability has been impacted by the COVID pandemic or who are for this reason or otherwise at risk of homelessness; and

WHEREAS, the Band Assembly recognizes that the Band is not required to commit cost-sharing or in-kind contribution as a component of this grant.

NOW, THEREFORE, BE IT RESOLVED that the Band Assembly does hereby authorize and approve the executive branch's submission of an application to the Minnesota Department of Housing for the purpose of obtaining Fiscal Year 2024-29 grant funding through the Family Homeless Prevention and Assistance program.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 15th day of May, 2024 at Nayahshing, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

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IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-19-24

A RESOLUTION APPROVING THE CONTINUANCE OF THE MILLE LACS BAND GOVERNMENT, CIRCLE OF HEALTH, GAMING REGULATORY AUTHORITY, DEPARTMENT OF ATHLETIC REGULATION, SUPPLEMENTAL INCOME PROGRAM FOR ELDERS, TRIBAL EMPLOYMENT RIGHTS OFFICE, HOUSING INITIATIVE, AND BAND MEMBER LEGAL SERVICES FISCAL OPERATIONS UNTIL JUNE 30, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, 3 MLBS § 21 requires that all fiscal operations under the jurisdiction of the Band shall cease as of midnight on the last day of the biennium if the Band Assembly fails to pass a two-year appropriations bill or if the Chief Executive vetoes the appropriations bill, unless the Band Assembly adopts a continuing resolution prior to such time; and

WHEREAS, Ordinance 59-22, to fund the operations of the Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services for Fiscal Years 2022 and 2023, expired September 30, 2023; and

WHEREAS, Act 19-24, to fund the Government Operations for the Executive, Legislative, and Judicial Branches; Circle of Health; Gaming Regulatory Authority; Department of Athletic Regulation; Supplemental Income Program for Elders; Tribal Employments Rights Office; and Band Member Legal Services for Fiscal Years 2024, and 2025, was vetoed on March 19, 2024; and

WHEREAS, 3 MLBS § 17 requires the Chief Executive and Band Assembly to overcome the veto by agreeing to compromise legislation; and

WHEREAS, the Band Assembly and Chief Executive have not reached a compromise; and

WHEREAS, the Band Assembly agrees to adopt a seventh (7th) continuing resolution until June 30, 2024.

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NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services fiscal operations until June 30, 2024; and

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 22nd day of May, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District III Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-20-24

A RESOLUTION APPROVING THE CONTINUANCE OF MILLE LACS CORPORATE VENTURES, NON-GAMING, AND GAMING FISCAL OPERATIONS UNTIL JUNE 30, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, Band Appropriation Bills 17-04-54-17, 17-04-55-17, and 17-04-56-17 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2018 expired September 30, 2018; and

WHEREAS, Band Appropriation Bills 19-04-03-22, 19-04-04-22, and 19-04-05-22 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2022 were vetoed by the Chief Executive on October 23, 2021; and

WHEREAS, Band Assembly agrees to adopt a thirty-seventh (37th) continuing resolution for said operations to continue to operate until June 30, 2024, on the grounds that Fiscal Year 2023 or Fiscal Year 2024 budgets have not been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of the MLCV, Non-Gaming, and Gaming fiscal operations until June 30, 2024.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 22nd day of May, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District I Representative

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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-21-24

A RESOLUTION ADOPTING AN UPDATED BUREAU OF INDIAN AFFAIRS 20-YEAR TRANSPORTATION PLAN (LONG-RANGE TRANSPORTATION PLAN, OR LRTP) AND UPDATED TRIBAL TRANSPORTATION SAFETY PLAN

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3 (d), the Band Assembly has the authority to adopt resolutions; and

WHEREAS, transportation planning is a contractible program of the Bureau of Indian Affairs under the provisions of the P.L. 93-638; and

WHEREAS, the Band, under the provisions of the P.L. 93-638, has contracted to conduct transportation planning activities; and

WHEREAS, in order to effectively use limited Tribal Transportation Program resources, the Band must provide the Bureau of Indian Affairs an updated 20-Year Transportation Plan (LRTP) and updated Tribal Transportation Safety Plan; and

WHEREAS, Band staff has updated the 20-Year Transportation Plan (LRTP) for 2024 and Tribal Transportation Safety Plan for 2024 and attached those plans to this Resolution.

NOW THEREFORE BE IT RESOLVED, the Band Assembly does hereby approve the 20-Year Transportation Plan (LRTP) for 2024 (Attachment A) as well as a Tribal Transportation Safety Plan for 2024 (Attachment B).

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 5th day of June, 2024, at Nayahshing, Minnesota, by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District I Representative

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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-22-24

A RESOLUTION AUTHORIZING ATTACHMENT OF A SECOND MORTGAGE TO THE RESIDENTIAL LEASEHOLD INTEREST FOR BAND MEMBER [redacted]

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to adopt resolutions to promote the general welfare of the people of the Band and to ratify agreements, contracts, cooperative and reciprocity agreements, and memoranda of understanding; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, tribal land leases are required on all tribal lands of the Mille Lacs Band of Ojibwe for agricultural purposes, to establish a home-site or a seasonal recreational residence, and for any commercial activity, or to acquire financing for a home; and

WHEREAS, [redacted] respectfully requests attachment of a Second Mortgage to her residential leasehold interest in lease number [redacted]; and

WHEREAS, [redacted] has been approved for financing from the Minnesota Chippewa Tribe for the purpose of home improvements for her primary residence located on her leased property described below; and

WHEREAS, said land is described as follows:

Part of Tract 410 TF 136 located in the Southwest one-quarter (SW ¼) of the Southeast one-quarter (SE ¼) of Section Twenty-two (22), Township Forty-two North (T42N), Range Twenty-five West (R25W), Fourth Principal Meridian, Mille Lacs County, Minnesota more particularly described as follows:

Beginning at the southwest corner of said Southwest Quarter of the Southeast Quarter; thence on an assumed bearing of East 200.00 feet along the south line of said Southwest Quarter of the Southeast Quarter; thence on a bearing of North 325.00 feet, thence on a bearing of West to the west line of said Southwest Quarter of the Southeast Quarter, thence Southerly along said west line to the point of beginning. Lease site is approximately 1 acre more or less. A map of the property is attached as exhibit A and made a part of this resolution; and

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WHEREAS, all other conditions and terms of the lease remain the same with the addition of the second mortgage.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly hereby authorizes a second mortgage to be attached to the leasehold interest for the property described herein for residential purposes be issued to [redacted] and all other terms and conditions remain the same.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 5th of June, 2024 at Nayahshing, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Secretary Treasurer

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-23-24

A RESOLUTION APPROVING ADDENDUM TO TRIBAL-STATE COMPACT FOR CONTROL OF CLASS III BLACKJACK ON THE MILLE LACS BAND OF CHIPPEWA RESERVATION IN MINNESOTA FOR CLASS III CARD GAMES

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to adopt resolutions to promote the general welfare of the people of the Band and to ratify agreements, contracts, cooperative and reciprocity agreements, and memoranda of understanding; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, the Band and the State of Minnesota ("State") entered into a Tribal-State Compact for the Control of Class III Blackjack on the Mille Lacs Band of Chippewa Reservation in Minnesota ("Compact"); and

WHEREAS, Mille Lacs Corporate Ventures ("MLCV") has successfully negotiated with the State an addendum to the current Tribal-State Compact for Control of Class III Blackjack on the Mille Lacs Band of Chippewa Reservation in Minnesota to include Class III card games; and

WHEREAS, Section 104 (a) of Title 15 of the Mille Lacs Band of Ojibwe statutes authorizes MLCV to negotiate and enter into tribal-state compact amendments with the State to govern the conduct of class III gaming on Band lands and that such compact amendments, other than technical amendments, shall not be valid until ratified by the Band Assembly pursuant to Title 3 of the Mille Lacs Band Statutes; and

WHEREAS, 25 CFR § 293.8 (b) requires that "[a] Tribal resolution or other document, including the date and place of adoption and the result of any vote taken, that certifies that the Tribe has approved the compact or amendment in accordance with applicable Tribal law and IGRA" be submitted with any tribal-state compact or amendment; and

WHEREAS, the Band Assembly finds that approving the Addendum to the Tribal-State Compact for Control of Class III Blackjack on the Mille Lacs Band of Chippewa Reservation in Minnesota for Class III Card Games is in the best interests of the Band to promote the health and welfare of the Band.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe, pursuant to the Indian Gaming Regulatory Act and Band law, adopts and approves the Addendum to Tribal-State Compact for Control of Class III Blackjack on the Mille Lacs Band of Chippewa Reservation in Minnesota for Class III Card Games.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on 14th day of June, 2024 at Nayahshing, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Secretary Treasurer

OFFICIAL SEAL OF THE BAND

Sponsor: District II Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-24-24

A RESOLUTION AUTHORIZING THE MILLE LACS CORPORATE VENTURES TO EXPEND FUNDS FROM FY2024 CAPITAL BUDGET FOR GRAND CASINO HINCKLEY AND GRAND CASINO MILLE LACS

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly-elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, the Band Assembly is authorized under 3 MLBS § 3(b) to appropriate all Band revenue regardless of source; and

WHEREAS, the Band Assembly is also authorized under 3 MLBS § 3(d) to adopt resolutions to promote the general welfare of the people of the Band; and

WHEREAS, Joseph S. Nayquonabe, Commissioner of Corporate Affairs, formally requested approval, on June 5, 2023, to open 2024 capital projects for quarters 3 and 4 as follows:

Grand Casino Mille Lacs Projects:

HVAC Upgrade (M24-PRO-01) in the amount of: Five hundred thousand dollars and no cents ($500,000.00); and

Grand Casino Hinckley Projects:

[redacted] Project (H24-PRO-06) in the amount of: [redacted] and

Infrastructure Hardware Project (H24-SYS-03) in the amount of: Two hundred eighty-five thousand dollars and no cents ($285,000.00); and

NOW, THEREFORE, BE IT RESOLVED, the Band Assembly hereby approves the Mille Lacs Corporate Ventures expenditure listed hereinabove from the 2024 Capital Budget.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 26th day of June, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

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IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District II Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-25-24

A RESOLUTION APPROVING THE CONTINUANCE OF THE MILLE LACS BAND GOVERNMENT, CIRCLE OF HEALTH, GAMING REGULATORY AUTHORITY, DEPARTMENT OF ATHLETIC REGULATION, SUPPLEMENTAL INCOME PROGRAM FOR ELDERS, TRIBAL EMPLOYMENT RIGHTS OFFICE, HOUSING INITIATIVE, AND BAND MEMBER LEGAL SERVICES FISCAL OPERATIONS UNTIL JULY 31, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, 3 MLBS § 21 requires that all fiscal operations under the jurisdiction of the Band shall cease as of midnight on the last day of the biennium if the Band Assembly fails to pass a two-year appropriations bill or if the Chief Executive vetoes the appropriations bill, unless the Band Assembly adopts a continuing resolution prior to such time; and

WHEREAS, Ordinance 59-22, to fund the operations of the Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services for Fiscal Years 2022 and 2023, expired September 30, 2023; and

WHEREAS, Act 19-24, to fund the Government Operations for the Executive, Legislative, and Judicial Branches; Circle of Health; Gaming Regulatory Authority; Department of Athletic Regulation; Supplemental Income Program for Elders; Tribal Employments Rights Office; and Band Member Legal Services for Fiscal Years 2024, and 2025, was vetoed on March 19, 2024; and

WHEREAS, 3 MLBS § 17 requires the Chief Executive and Band Assembly to overcome the veto by agreeing to compromise legislation; and

WHEREAS, the Band Assembly and Chief Executive have not reached a compromise; and

WHEREAS, the Band Assembly agrees to adopt an eighth (8th) continuing resolution until July 31, 2024.

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NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services fiscal operations until July 31, 2024; and

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 26th day of June, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-01-26-24

A RESOLUTION APPROVING THE CONTINUANCE OF MILLE LACS CORPORATE VENTURES, NON-GAMING, AND GAMING FISCAL OPERATIONS UNTIL JULY 31, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, Band Appropriation Bills 17-04-54-17, 17-04-55-17, and 17-04-56-17 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2018 expired September 30, 2018; and

WHEREAS, Band Appropriation Bills 19-04-03-22, 19-04-04-22, and 19-04-05-22 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2022 were vetoed by the Chief Executive on October 23, 2021; and

WHEREAS, Band Assembly agrees to adopt a thirty-eighth (38th) continuing resolution for said operations to continue to operate until July 31, 2024, on the grounds that Fiscal Year 2023 or Fiscal Year 2024 budgets have not been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of the MLCV, Non-Gaming, and Gaming fiscal operations until July 31, 2024.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 26th day of June, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District II Representative

43408 Oodena [illegible]
(320) 532-41[illegible]

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RESOLUTION 21-02-27-24

A RESOLUTION GRANTING GROWCO, INC., A PROVISIONAL CANNABIS LICENSE PURSUANT TO 15 MLBS § 1224

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly-elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the authority to adopt resolutions; and

WHEREAS, pursuant to 15 MLBS § 1203(a), all cannabis sales on the reservation shall be regulated by a Department of Cannabis Regulation under the administrative control of a Board; and

WHEREAS, it is in the best interests of the Band to pursue a cannabis economy on the reservation in the interim period before the Department and Board are formed; and

WHEREAS, pursuant to 15 MLBS § 1224, the Band Assembly has the authority to issue temporary provisional cannabis licenses by resolution during that interim period; and

WHEREAS, pursuant to 15 MLBS § 1210, when the cannabis regulatory authority approves a cannabis license, the recipient shall receive separate cannabis licenses for all of the purposes listed under §1210(a)(2); and

WHEREAS, GrowCo, Inc., a wholly owned corporation of Mille Lacs Corporate Ventures formed pursuant to 16 MLBS § 106(d), was created to segregate all cannabis business activity from Mille Lacs Corporate Ventures; and

WHEREAS, GrowCo, Inc., would retain management and operational authority of all cannabis business operations under a provisional cannabis license under 15 MLBS § 1203(c); and

WHEREAS, GrowCo. Inc., submitted all application materials practicable at this time under 15 MLBS § 1210(b)(2); and

WHEREAS, the Band Assembly finds GrowCo. Inc., is eligible to receive a provisional cannabis license pursuant to 15 MLBS § 1224.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe does hereby issue a provisional cannabis license pursuant to 15 MLBS §1224;

NOW BE IT FURTHER RESOLVED, that the provisional license includes licenses for all of the purposes listed under 15 MLBS §1210(a)(2); and

BE IT FURTHER AND FINALLY BE IT RESOLVED, that the provisional licenses will expire on December 31, 2024.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on 9th day of July, 2024 at Onamia, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District II Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-02-28-24

A RESOLUTION APPROVING THE CONTINUANCE OF MILLE LACS CORPORATE VENTURES, NON-GAMING, AND GAMING FISCAL OPERATIONS UNTIL AUGUST 31, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, Band Appropriation Bills 17-04-54-17, 17-04-55-17, and 17-04-56-17 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2018 expired September 30, 2018; and

WHEREAS, Band Appropriation Bills 19-04-03-22, 19-04-04-22, and 19-04-05-22 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2022 were vetoed by the Chief Executive on October 23, 2021; and

WHEREAS, Band Assembly agrees to adopt a thirty-ninth (39th) continuing resolution for said operations to continue to operate until August 31, 2024, on the grounds that Fiscal Year 2023 or Fiscal Year 2024 budgets have not been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of the MLCV, Non-Gaming, and Gaming fiscal operations until August 31, 2024.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 24th day of July, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District I Representative

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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-02-29-24

A RESOLUTION APPROVING THE CONTINUANCE OF THE MILLE LACS BAND GOVERNMENT, CIRCLE OF HEALTH, GAMING REGULATORY AUTHORITY, DEPARTMENT OF ATHLETIC REGULATION, SUPPLEMENTAL INCOME PROGRAM FOR ELDERS, TRIBAL EMPLOYMENT RIGHTS OFFICE, HOUSING INITIATIVE, AND BAND MEMBER LEGAL SERVICES FISCAL OPERATIONS UNTIL AUGUST 31, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, 3 MLBS § 21 requires that all fiscal operations under the jurisdiction of the Band shall cease as of midnight on the last day of the biennium if the Band Assembly fails to pass a two-year appropriations bill or if the Chief Executive vetoes the appropriations bill, unless the Band Assembly adopts a continuing resolution prior to such time; and

WHEREAS, Ordinance 59-22, to fund the operations of the Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services for Fiscal Years 2022 and 2023, expired September 30, 2023; and

WHEREAS, Act 19-24, to fund the Government Operations for the Executive, Legislative, and Judicial Branches; Circle of Health; Gaming Regulatory Authority; Department of Athletic Regulation; Supplemental Income Program for Elders; Tribal Employments Rights Office; and Band Member Legal Services for Fiscal Years 2024, and 2025, was vetoed on March 19, 2024; and

WHEREAS, Act 38-24, to fund the Government Operations for the Executive, Legislative, and Judicial Branches; Circle of Health; Gaming Regulatory Authority; Department of Athletic Regulation; Supplemental Income Program for Elders; Tribal Employments Rights Office; and Band Member Legal Services for Fiscal Years 2024, and 2025, was vetoed on August 2, 2024; and

WHEREAS, 3 MLBS § 17 requires the Chief Executive and Band Assembly to overcome the veto by agreeing to compromise legislation; and

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WHEREAS, the Band Assembly and Chief Executive have not reached a compromise; and

WHEREAS, the Band Assembly agrees to adopt a ninth (9th) continuing resolution until August 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services fiscal operations until August 31, 2024; and

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 6th day of August, 2024, at Nayahshing, Minnesota, by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-02-30-24

A RESOLUTION IN SUPPORT OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE MILLE LACS BAND OF OJIBWE AND THE MILLE LACS ELECTRIC COOPERATIVE TO IMPROVE ELECTRICAL SERVICES

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, over the next five years, the Band's goal is to improve the reliability and increase the delivery of the electrical services provided to its communities; and

WHEREAS, the Band wishes to enter into a Memorandum of Understanding ("MOU") with the Mille Lacs Electric Cooperative that will lay out roles and responsibilities of each party on how to perform grid resiliency projects to prevent power outages and better provide electrical services in Neyaashiing/Vineland; and

WHEREAS, through the MOU, Mille Lacs Electric Cooperative will be brought on as a partner in a U.S. Department of Energy grant program designed to prevent power outages and enhance the resilience of the electrical grid.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly hereby expresses its support for the MOU between the Mille Lacs Electric Cooperative and the Band.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 7th day of August, 2024, at Onamia, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

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IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-02-31-24

A RESOLUTION CONCURRING WITH THE CHIEF EXECUTIVE ASSERTING THE BAND'S RESERVED RIGHTS TO AQUATIC AND AQUATIC-DEPENDENT RESOURCES IN WISCONSIN

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the authority to adopt resolutions; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, the Band is a signatory or successor to the Treaty of 1837, 7 Stat. 536; and

WHEREAS, the Band holds rights to hunt, fish, gather, and engage in the usual rights of occupancy on lands and waters ceded in the Treaty of 1837, 7 Stat. 536, and its reserved treaty rights were addressed by *Lac Courte Oreilles, et al. v. State of Wisconsin, et al.*; and

WHEREAS, the Band is a member of the Great Lakes Indian Fish and Wildlife Commission ("Commission"), an intertribal agency exercising delegated sovereign authority from 11 federally recognized Chippewa Tribes in Wisconsin, Michigan, and Minnesota with reserved hunting, fishing, and gathering rights in territories ceded to the United States in the Treaties of 1836, 1837, 1842, and 1854; and

WHEREAS, the Commission's mission includes a duty to assist its member Tribes in the conservation and management of natural resources throughout the ceded territories, thereby ensuring unsuppressed access to the traditional lifeways of the Anishinaabeg; and

WHEREAS, the Band is a member of the Voigt Intertribal Task Force, which is comprised of representatives of ten Commission member Tribes with reserved rights in what is now the State of Wisconsin, and that has, since 1983, successfully developed intertribal agreements and coordinated intertribal regulations governing the exercise of the Tribes' off-reservation, ceded territory reserved rights; and

WHEREAS, the Chippewa lifeway, as protected in our treaties with the United States, depends upon the unsuppressed use of clean and healthy natural resources for spiritual, cultural, medicinal, subsistence, and economic purposes; and

WHEREAS, pursuant to the Clean Water Act, when a Tribe asserts a reserved right in writing to a State and the Environmental Protection Agency ("EPA") for consideration in the establishment or review of water quality standards, the State must: consider the use and value of its waters for protecting the reserved right in adopting or revising designated uses; consider water quality in light of unsuppressed exercise of the right; and establish water quality criteria to protect the reserved right; and

WHEREAS, a decision not to raise a right in a specific water quality standards context or specific state water quality standard development process does not amount to a waiver or preclusion of reserved rights in this context or in any other contexts.

NOW, THEREFORE, BE IT RESOLVED, the Band Assembly concurs with the Chief Executive asserting the Band's reserved rights to aquatic and aquatic-dependent resources in Wisconsin, intertribally and in writing to Wisconsin and the EPA.

BE IT FURTHER RESOLVED, the Band Assembly supports delegation of responsibility to the Voigt Intertribal Task Force to coordinate and intertribally engage with the State of Wisconsin and EPA in the State's review of off-reservation water quality standards for inland waters.

BE IT FURTHER AND FINALLY RESOLVED, in no way shall this resolution be interpreted to preclude the Band from asserting a reserved right in its own sovereign capacity for any reason and at any time.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 21st day of August, 2024, at Onamia, Minnesota by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of Assembly

OFFICIAL SEAL OF THE BAND

MILLE LACS BAND OF OJIBWE

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-02-32-24

A RESOLUTION RATIFYING THE REVOLVING LOAN POLICY

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the authority to adopt resolutions; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, Band member employees need access to financial resources on reasonable terms; and

WHEREAS, pursuant to 17 MLBS, Chapter 1, the Band government created a Revolving Loan program to meet this need, and the program is currently inactive; and

WHEREAS, the Band Assembly wishes to reinstitute the program to support and improve the lives of Band member employees and their families; and

WHEREAS, on August 2, 2024, the Band Assembly adopted Act 43-24, which eliminated an inefficient loan committee oversight system and relocating that program inside the Office of Management and Budget; and

WHEREAS, on August 8, 2024, Chief Executive Virgil Wind, a longtime advocate for the loan program, signed Act 43-24 into law; and

WHEREAS, pursuant to 17 MLBS § 7, the Band Assembly must ratify the policies of the Revolving Loan program; and

WHEREAS, the Band Assembly has reviewed and contributed to the proposed Revolving Loan policies attached hereto and found them consistent with statute and in accordance with sound lending practices.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby ratifies the Revolving Loan policy.

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DISTRICT IIA
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DISTRICT III
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URBAN OFFICE
1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 28th day of August, 2024, at Nayahshing, Minnesota, by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 21-02-33-24

A RESOLUTION APPROVING THE CONTINUANCE OF MILLE LACS CORPORATE VENTURES, NON-GAMING, AND GAMING FISCAL OPERATIONS UNTIL OCTOBER 31, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, Band Appropriation Bills 17-04-54-17, 17-04-55-17, and 17-04-56-17 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2018 expired September 30, 2018; and

WHEREAS, Band Appropriation Bills 19-04-03-22, 19-04-04-22, and 19-04-05-22 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2022 were vetoed by the Chief Executive on October 23, 2021; and

WHEREAS, Band Assembly agrees to adopt a fortieth (40th) continuing resolution for said operations to continue to operate until October 31, 2024, on the grounds that Fiscal Year 2023 or Fiscal Year 2024 budgets have not been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of the MLCV, Non-Gaming, and Gaming fiscal operations until October 31, 2024.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 28th day of August, 2024, at Nayahshing, Minnesota, by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District II Representative

DISTRI
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DISTRICT II
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THE MILLE LACS BAND OF

OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 21-02-34-24

A RESOLUTION ADOPTING THE FY 2024-2027 MILLE LACS BAND TRANSPORTATION IMPROVEMENT PLAN, FY 2024 TRIBAL TRANSPORTATION PROGRAM AGREEMENT RETAINED SERVICES ADDENDUM, AND FY 2024 REFERENCED FUNDING AGREEMENT WITH THE UNITED STATES DEPARTMENT OF INTERIOR - BUREAU OF INDIAN AFFAIRS

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to adopt resolutions to promote the general welfare of the people of the Band and to ratify agreements, contracts, cooperative and reciprocity agreements, and memoranda of understanding; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, the Band Assembly has established as a priority the improvement of spiritual, physical, mental, social, and economic well-being of the people of the Band; and

WHEREAS, transportation plays an integral role in serving local infrastructure and community needs; and

WHEREAS, the Band desires to provide adequate transportation facilities to meet the needs of the residents of the Band; and

WHEREAS, the Band has worked to develop the FY 2024 Mille Lacs Transportation Improvement Plan ("TIP"), Retained Service Agreement ("RSA"), and Referenced Funding Agreement ("RFA") which the Band is using to request the Bureau of Indian Affairs ("BIA") to incorporate into the Control Schedule Transportation Improvement Plan ("CSTIP"), a required step to help the Band receive its Tribal Shares funding; and

WHEREAS, the RSA shows the professional services the BIA will provide, such as engineering or environmental services for TIP projects; and

WHEREAS, the RFA shows the summary funding, including the amount and sources; and

WHEREAS, the Band agrees with the needs and priorities presented in the FY 2024-2027 Band's TIP.

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NOW, THEREFORE, BE IT RESOLVED, the Band Assembly supports and adopts the FY 2024-2027 Mille Lacs Band of Ojibwe's TIP for the projects listed in the attached CSTIP forms that were developed between Band Tribal Roads and the BIA for Tribal Shares funding, along with corresponding Tribal Transportation Program Retained Service Agreement, and Referenced Funding Agreement.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 11th day of September, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District III Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-02-35-24

A RESOLUTION APPROVING THE 2025 MEMBERSHIP INTO THE NATIONAL CONGRESS OF AMERICAN INDIANS

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to "adopt resolutions" and "ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding;" and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, in a letter dated September 4, 2024, the Band's Chief Executive "recommend[ed] and request[ed] that the Band Assembly ratify and renew the Band's agreement to maintain its status as a member of the National Congress of American Indians ("NCAI"); and

WHEREAS, the Band wishes to remain a member tribe in good standing with NCAI.

NOW, THEREFORE, BE IT RESOLVED, that tribal funds in the amount of $30,000.00 (Thirty thousand dollars and no cents), based on gross gaming revenue, and expended by Government Affairs, is authorized for payment for such membership in NCAI.

BE IT FURTHER AND FINALLY RESOLVED, that the Band Assembly and Chief Executive do hereby authorize: Virgil Wind, Chief Executive; Sheldon Boyd, Secretary-Treasurer; Carolyn Beaulieu, District I Representative; Wendy Merrill, District II Representative; and Harry Davis, District III Representative to become members in good standing in order to fulfill their responsibilities as Official Delegates and Alternate Delegates to the National Congress of American Indians.

DELEGATE: Virgil Wind, Chief Executive
Signature: _____

ALTERNATE: Sheldon Boyd, Secretary-Treasurer
Signature: _____

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(612) 872-1424 • Fax (612) 872-1257

ALTERNATE: Carolyn Beaulieu, District I Representative
Signature: Carolyn Beaulieu

ALTERNATE: Wendy Merrill, District II Representative
Signature: Wendy Merrill

ALTERNATE: Harry Davis, District III Representative
Signature: Harry Davis

OFFICIAL TRIBAL ADDRESS: Mille Lacs Band of Ojibwe
43408 Oodena Drive
Onamia, MN 56359

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 18th day of September, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District II Representative

RESOLUTION 21-02-36-24

A RESOLUTION APPROVING A LICENSE TO OPERATE WEWINABI, HEAD START AND EARLY HEAD START IN DISTRICTS I, II, AND III

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, the licensing standards and procedures for all Band-Operated Child Care Centers operating on Band Lands is set forth pursuant to 8 MLBS §§ 946(d), and 954(a); and

WHEREAS, Mille Lacs Early Education, which operates child care centers in Districts I, II, and III, possessed a license adopted via Resolution 21-02-30-24 which expired at midnight (12:00 AM) on October 1, 2024; and

WHEREAS, on September 23, 2024, the Mille Lacs Band of Ojibwe Child Care Licensing Committee unanimously recommended continuing licensure of Wewinabi, Head Start, and Early Head Start in Districts I, II, and III; and

WHEREAS, the Licensing Committee submitted its recommendation to the Band Assembly on September 30, 2024; and

WHEREAS, the District I Wewinabi Early Education has a capacity of Infants: 24-32; Toddlers: 72-84; Preschool: 98; and School Age: 35; and

WHEREAS, District II East Lake Early Education has a capacity of Infants/Toddlers: 6; and Preschool: 18; and

WHEREAS, District III Lake Lena Early Education has a capacity of Infants/Toddlers: 8; and Preschool: 18.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly does hereby agree to approve a license for a period of one year for the operation of a Wewinabi, Head Start, and Early Head Start in Districts I, II, and III.

BE IT FURTHER RESOLVED, that the license shall expire at midnight (12:00 AM) on October 1, 2025.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 2nd day of October, 2024, at Nayahshing, Minnesota by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-02-37-24

A RESOLUTION REPEALING AND REPLACING RESOLUTION 21-02-36-24 WHICH APPROVED A LICENSE TO OPERATE WEWINABI, HEAD START AND EARLY HEAD START IN DISTRICTS I, II, AND III

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, the licensing standards and procedures for all Band-Operated Child Care Centers operating on Band Lands is set forth pursuant to 8 MLBS §§ 946(d), and 954(a); and

WHEREAS, Mille Lacs Early Education, which operates child care centers in Districts I, II, and III, possessed a license adopted via Resolution 21-02-30-24 which expired at midnight (12:00 AM) on October 1, 2024; and

WHEREAS, on September 23, 2024, the Mille Lacs Band of Ojibwe Child Care Licensing Committee unanimously recommended continuing licensure of Wewinabi, Head Start, and Early Head Start in Districts I, II, and III; and

WHEREAS, the Licensing Committee submitted its recommendation to the Band Assembly on September 30, 2024; and

WHEREAS, the District I Wewinabi Early Education has a capacity of Infants: 24-32; Toddlers: 72-84; Preschool: 98; and School Age: 35; and

WHEREAS, District II East Lake Early Education has a capacity of Infants: 8; Toddlers: 8; and Preschool: 18; and

WHEREAS, District III Lake Lena Early Education has a capacity of Infants/Toddlers: 8; and Preschool: 18; and

WHEREAS, District III Hinckley Early Education has a capacity of Infants/Toddlers: 24.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly does hereby agree to approve a license for a period of one year for the operation of a Wewinabi, Head Start, and Early Head Start in Districts I, II, and III.

BE IT FURTHER RESOLVED, that the license shall expire at midnight (12:00 AM) on October 1, 2025.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 9th day of October, 2024, at Nayahshing, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District III Representative

THE MILLE LACS BAND OF

OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 21-02-38-24

A RESOLUTION ACCEPTING ALL FUTURE BUREAU OF INDIAN EDUCATION MINOR IMPROVEMENT FUNDS AND REPAIR AND FACILITIES IMPROVEMENT & REPAIR PROJECT FUNDS FOR THE NAY AH SHING SCHOOL VIA THE P.L. 100-297 PROCUREMENT/PROJECT MANAGEMENT OPTION

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the authority to adopt resolutions; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, the Nay Ah Shing School ("School") is a tribally controlled school operated by the Mille Lacs Band of Ojibwe ("the Band"); and

WHEREAS, the Bureau of Indian Education ("BIE") recurrently requires the Band to select procurement and project management options for Minor Improvement and Repair ("MI&R") funds and Facilities Improvement and Repair ("FI&R") funds for the School; and

WHEREAS, the interests of the Band and the School are best served by the P.L. 100-297 Tribally Controlled School Grants procurement and project management option.

NOW, THEREFORE, BE IT RESOLVED, that the Band hereby selects the P.L. 100-297 funding vehicle for project management for all future BIE MI&R and FI&R projects valued at or below $2 million for the School.

BE IT FURTHER AND FINALLY RESOLVED, that for projects that exceed $2 million, a First Right of Refusal Letter must continue to be provided to tribal leadership for a decision.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 9th day of October, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

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IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District III Representative

THE MILLE LACS BAND OF

OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 21-02-39-24

A RESOLUTION TO REPEAL AND REPLACE RESOLUTION 21-02-39-24 WHICH ACCEPTED ALL FUTURE BUREAU OF INDIAN EDUCATION MINOR IMPROVEMENT FUNDS AND REPAIR AND FACILITIES IMPROVEMENT & REPAIR PROJECT FUNDS FOR THE NAY AH SHING SCHOOL VIA THE P.L. 100-297 PROCUREMENT/PROJECT MANAGEMENT OPTION

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the authority to adopt resolutions; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, the Nay Ah Shing School ("School") is a tribally controlled school operated by the Mille Lacs Band of Ojibwe ("the Band"); and

WHEREAS, the Bureau of Indian Education ("BIE") recurrently requires the Band to select procurement and project management options for Minor Improvement and Repair ("MI&R") funds and Facilities Improvement and Repair ("FI&R") funds for the School; and

WHEREAS, the interests of the Band and the School are best served by the P.L. 100-297 Tribally Controlled School Grants procurement and project management option.

NOW, THEREFORE, BE IT RESOLVED, that the Band hereby selects the P.L. 100-297 funding vehicle for project management for all future BIE MI&R and FI&R projects.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 8th day of November, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

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IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF

OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 21-02-40-24

A RESOLUTION APPROVING THE CONTINUANCE OF MILLE LACS CORPORATE VENTURES, NON-GAMING, AND GAMING FISCAL OPERATIONS UNTIL JANUARY 31, 2025

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(b) and (d), the Band Assembly has the authority to appropriate all Band revenue regardless of source and adopt resolutions; and

WHEREAS, Band Appropriation Bills 17-04-54-17, 17-04-55-17, and 17-04-56-17 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2018 expired September 30, 2018; and

WHEREAS, Band Appropriation Bills 19-04-03-22, 19-04-04-22, and 19-04-05-22 to fund the operations of Mille Lacs Corporate Ventures ("MLCV"), Non-Gaming, and Gaming respectively for Fiscal Year 2022 were vetoed by the Chief Executive on October 23, 2021; and

WHEREAS, Band Assembly agrees to adopt a forty-first (41st) continuing resolution for said operations to continue to operate until January 31, 2025, on the grounds that Fiscal Year 2024 or Fiscal Year 2025 budgets have not been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly of the Mille Lacs Band of Ojibwe hereby authorize the continuance of the MLCV, Non-Gaming, and Gaming fiscal operations until January 31, 2025.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 8th day of November, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

Sponsor: District II Representative

43408 Oodena
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THE MILLE LACS BAND OF

OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 21-02-41-24

A RESOLUTION RATIFYING THE PARTNERSHIP AGREEMENT BETWEEN THE MILLE LACS BAND OF OJIBWE AND THE MINNESOTA CENTER FOR ENVIRONMENTAL ADVOCACY IN CONNECTION WITH A GRANT APPLICATION FOR THE ENVIRONMENTAL AND CLIMATE JUSTICE COMMUNITY CHANGE GRANT PROGRAM

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the authority to adopt resolutions; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, pursuant to 3 MLBS § (f), the Band Assembly has the authority to ratify agreements, contracts, cooperative and reciprocity agreements, and memoranda of understanding; and

WHEREAS, the Band's Department of Natural Resources wishes to apply for a U.S. Environmental Protection Agency Environmental and Climate Justice Community Chance Grant worth $18 million; and

WHEREAS, to qualify for the grant, the Band must partner with one or more nonprofit organizations; and

WHEREAS, the Department of Natural Resources wishes to partner with the Minnesota Center for Environmental Advocacy ("MCEA"); and

WHEREAS, MCEA uses law and science to protect Minnesota's natural resources and the health of its people and has expertise in advocating for climate change solutions, climate resiliency, and climate mitigation across the state; and

WHEREAS, the Band Assembly has reviewed the proposed partnership agreement between the parties and found it satisfactory and in the best interests of the Band.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly hereby ratifies and expresses its support for the partnership agreement between the Band and MCEA in pursuit of the grant.

DISTRICT I
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DISTRICT IIA
2605 Chiminising Drive • Isle, MN 56342
(320) 676-1102 • Fax (320) 676-3432

DISTRICT III
45749 Grace Lake Road • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 384-6190

URBAN OFFICE
1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 20th day of November, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-02-42-24

A RESOLUTION SUPPORTING MEMBERSHIP IN THE TRIBAL ADVISORY COUNCIL ON ENERGY AND APPOINTMENT OF BAND REPRESENTATIVES

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly is empowered to "adopt resolutions" to promote the general welfare of the people of the Band; and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, the Band Assembly is committed to energy innovation and independence, and seeks to promote a sustainable and secure energy future for tribes and their neighbors; and

WHEREAS, consistent with that commitment, the Band Assembly seeks appointment of individuals to serve as representatives of the Band on the Tribal Advocacy Council on Energy ("TACE"), which is an inter-tribal council of tribal nations located within the State of Minnesota formed for the purpose of promoting meaningful consultation, effective collaboration, partnerships, policies, and legislation, regarding tribal energy issues; and

WHEREAS, the Band Assembly believes that the Band's participation in TACE is in the best interests of the Band, its members, and the tribal community; and

WHEREAS, the Band Assembly has reviewed and supports in substantial form the TACE Governing Structure (By-Laws), last revised during a June 6, 2024, work group meeting, a copy of which is incorporated herein as Appendix A; and

WHEREAS, the Band shall retain its sovereign immunity in all respects notwithstanding its TACE membership status and representative appointments.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly lends its support to the Band's membership in the Tribal Advocacy Council on Energy.

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URBAN OFFICE
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BE IT FURTHER RESOLVED, that the Band Assembly accepts and supports in substantial form the TACE Governance Structure (By-Laws) incorporated herein as Appendix A.

BE IT FURTHER AND FINALLY RESOLVED, that the Band Assembly supports appointment of Tracy Burr, Commissioner of Community Development, to serve as the Band's primary representative on TACE, and Kelly Applegate, Commissioner of Natural Resources, to serve as the Band's alternate representative on TACE, with both serving in those capacities until further action of the Band.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 20th day of November, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF

OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 21-02-44-24

A RESOLUTION APPROVING THE BAND'S 2025 MEMBERSHIP INTO THE INDIAN GAMING ASSOCIATION

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to "adopt resolutions" and "ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding;" and

WHEREAS, pursuant to 3 MLBS § 1(m), a "resolution" is defined as "a formal expression of the opinion, will, or intention" of the Band Assembly; and

WHEREAS, in a letter dated December 2, 2024, the Band's Chief Executive "recommend[ed] and request[ed] that the Band Assembly ratify and renew the Band's agreement to maintain its status as a member of the Indian Gaming Association"; and

WHEREAS, the Band wishes to remain a member tribe in good standing with the Indian Gaming Association.

NOW, THEREFORE, BE IT RESOLVED, that tribal funds in the amount of $25,000.00 (Twenty-five thousand dollars and no cents), based on gross gaming revenue, and expended by Government Affairs, is authorized for payment for such membership in the Indian Gaming Association.

BE IT FURTHER AND FINALLY RESOLVED, that the Band Assembly and Chief Executive do hereby authorize the following elected officials to fulfill their responsibilities as Official Delegates and Alternate Delegates to the Indian Gaming Association: Virgil Wind, Chief Executive; Sheldon Boyd, Secretary-Treasurer; Carolyn Beaulieu, District I Representative; Wendy Merrill, District II Representative; and Harry Davis, District III Representative.

DELEGATE: Virgil Wind, Chief Executive
Signature: _____

ALTERNATE: Sheldon Boyd, Secretary-Treasurer
Signature: _____

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1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

ALTERNATE: Carolyn Beaulieu, District I Representative
Signature: Carolyn Beaulieu

ALTERNATE: Wendy Merrill, District II Representative
Signature: Wendy Merrill

ALTERNATE: Harry Davis, District III Representative
Signature: Harry Davis

OFFICIAL TRIBAL ADDRESS: Mille Lacs Band of Ojibwe
43408 Oodena Drive
Onamia, MN 56359

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a Special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 11th day of December, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

Sponsor: District II Representative

Chapter 3 – Special Revenue Resolutions

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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

SPECIAL REVENUE
RESOLUTION 21-02-01-24

SPECIAL REVENUE RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE TO EXECUTE, DELIVER, AND CAUSE THE PERFORMANCE OF EXTENDING THE RED WILLOW ESTATES PROMISSORY NOTE MATURITY DATE TO SEPTEMBER 30, 2024

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, according to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to "adopt resolutions" and "ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding;" and

WHEREAS, according to 3 MLBS § 1(m), a resolution is defined as "a formal expression of opinion, will, or intention voted on by the Band Assembly[;]" and

WHEREAS, the Band Assembly previously determined that it was and is in the best interest of the Band to make a loan to Mille Lacs Corporate Ventures ("MLCV") for the Red Willows Estates Project; and

WHEREAS, the Band Assembly previously exercised such authority to provide an original loan of $8,744,148.00 to MLCV with a maturity date of June 30, 2024; and

WHEREAS, after careful consideration, MLCV and the Band determined to extend the maturity date to September 30, 2024; and

WHEREAS, pursuant to 22 MLBS § 102(a), any "direction to the Commissioner of Finance shall be promulgated" via a "Special Revenue Resolution" which "shall contain the signatures of the Speaker of the Assembly, two members of the Band Assembly and be concurred upon by the Chief Executive."

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive do hereby authorize the Commissioner of Finance, on behalf of the Band, to execute, deliver, and cause the performance of extending the Red Willows Estates Promissory Note maturity date from June 30, 2024 to September 30, 2024.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 28th day of August, 2024, at Nayahshing, Minnesota, by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereby affix our signatures to this Special Revenue Resolution in accordance with 22 MLBS § 102.

Sheldon Boyd, Speaker of the Assembly

Carolyn Beaulieu, District I Representative

Wendy Merrill, District II Representative

Harry Davis, District III Representative

IN CONCURRENCE, with the action of the Band Assembly, I hereby set my hand to this Special Revenue Resolution in accordance with 22 MLBS § 102.

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Sponsor: District I Representative

THE MILLE LACS BAND OF

OJIBWE INDIANS

Legislative Branch of Tribal Government

SPECIAL REVENUE
RESOLUTION 21-02-02-24

A SPECIAL REVENUE RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE TO EXECUTE, DELIVER, AND CAUSE THE PERFORMANCE OF A FIRST AMENDMENT TO THE BANK OF AMERICA COMMERCIAL CREDIT AGREEMENT DATED SEPTEMBER 30, 2021 CONVERTING THE INTEREST RATE INDEX OPTION TO SOFR FROM BSBY; IMPLEMENTING A CREDIT SPREAD ADJUSTMENT OF 10 BASIS POINTS; AND REDUCING THE LINE OF CREDIT COMMITMENT AMOUNT TO $108,000,000.00 FROM $118,400,000.00

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian tribe; and

WHEREAS, according to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to "adopt resolutions" and "ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding;" and

WHEREAS, according to 3 MLBS § 1(m), a resolution is defined as "a formal expression of opinion, will, or intention voted on by the Band Assembly[;]" and

WHEREAS, the Band Assembly previously determined that it was in the best interest of the Band to execute a commercial credit agreement ("Agreement") with Bank of America ("Bank") where the Bank provided a line of credit amount of $118,400,000.00 (the "Commitment") which has a current outstanding balance of $107,924,915.50; and

WHEREAS, the Agreement contained a rate index option of Bloomberg Short-Term Bank Yield Index ("BSBY") which will no longer be published effective November 2024 and must be replaced; and

WHEREAS, the Band Assembly has determined to utilize the Secured Overnight Financing Rate ("SOFR") as the rate index option to replace BSBY; and

WHEREAS, the Band Assembly has agreed to grant the lender a credit spread adjustment of 10 basis points; and

WHEREAS, the Band Assembly has determined it is appropriate to reduce the line of credit commitment to $108,000,000.00 from $118,400,000.00; and

WHEREAS, pursuant to 22 MLBS § 102(a), any "direction to the Commissioner of Finance shall be promulgated" via a "Special Revenue Resolution" which "shall contain the signatures of the Speaker of the Assembly, two members of the Band Assembly and be concurred upon by the Chief Executive."

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly does hereby authorize the Commissioner of Finance, on behalf of the Band, to execute, deliver, and cause the performance of amending the Bank of America Commercial Credit Agreement dated September 30, 2021 converting the interest rate index option to SOFR from BSBY, implementing a credit spread adjustment of 10 basis points, and reducing the line of credit commitment amount to $108,000,000.00 from $118,400,000.00.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 8th day of November, 2024, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereby affix our signatures to this Special Revenue Resolution in accordance with 22 MLBS § 102.

Sheldon Boyd, Speaker of the Assembly

Carolyn Beaulieu, District I Representative

Wendy Merrill, District II Representative

Harry Davis, District III Representative

IN CONCURRENCE, with the action of the Band Assembly, I hereby set my hand to this Special Revenue Resolution in accordance with 22 MLBS § 102.

Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

Sponsor: District 1 Representative

Chapter 4 – Resolutions of the Joint Session of the Band Assembly

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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-01-24

A RESOLUTION APPROVING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR THOSE WHO MEET THE 1/ 4 DEGREE REQUIREMENT OF THE MINNESOTA CHIPPEWA TRIBE

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children[;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated 31 individuals *do* meet the 1/4 blood quantum degree requirement for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

Eligible Applicants January 2024

Name:	Date of Birth:	Status:	Blood Quantum:
[redacted]			

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive approve the above applications for enrollment and approve all rights provided for Non-Removable Mille Lacs Band of Ojibwe, Minnesota Chippewa Tribe enrollees.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 9th day of January, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 1 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-02-24

A RESOLUTION DENYING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR THOSE WHO DO NOT MEET THE 1/4 DEGREE REQUIREMENT OF THE MINNESOTA CHIPPEWA TRIBE

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children [;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated 20 individuals do *not* meet the ¼ blood quantum degree requirement for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

DISTRICT I
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URBAN OFFICE
1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

Ineligible Applicants January 2024

Name:	Date of Birth:	Status:	Blood Quantum:
[redacted]			

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive deny the above applications for enrollment in the Non-Removable Mille Lacs Band of Ojibwe on the grounds that the applications do not meet the requirements prescribed by Article II of the Revised Constitution of the Minnesota Chippewa Tribe.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 9th day of January, 2024, at Nayahshing, Minnesota, by a vote of 5 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

MILLE LACS BAND OF OJIBWE

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-03-24

A RESOLUTION DENYING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR APPLICANTS WHO WERE NOT BORN TO AN ENROLLED MILLE LACS BAND MEMBER

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children [;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated 1 individual(s) were *not* born to an enrolled Band member and therefore are *not* eligible for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

DISTRICT I
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Ineligible -No Parent Enrolled Applicants January 2024

Name:	**Date of Birth:**
[redacted]	

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive deny the above applications for enrollment in the Non-Removable Mille Lacs Band of Ojibwe on the grounds that the applications do not meet the requirements prescribed by Article II of the Revised Constitution of the Minnesota Chippewa Tribe.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 9th day of January, 2024, at Nayahshing, Minnesota, by a vote of 5 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-04-24

A RESOLUTION DESIGNATING THE MILLE LACS BAND OF OJIBWE OFFICE OF THE SOLICITOR GENERAL AS THE ENTITY RESPONSIBLE FOR CONDUCTING THE CRIMINAL BACKGROUND INVESTIGATIONS OF CANDIDATES FOR THE 2024 MINNESOTA CHIPPEWA TRIBE ELECTION ON THE MILLE LACS RESERVATION

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly is empowered to adopt resolutions; and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive has the power to exercise the executive powers of Band government; and

WHEREAS, the Tribal Executive Committee of the Minnesota Chippewa Tribe ("MCT") adopted a revised Election Ordinance on December 11, 2023; and

WHEREAS, Section 1.3(D)(5) of the Election Ordinance states that "[e]ach Band governing body shall designate the entity responsible for conducting the [required criminal background investigations];" and

WHEREAS, Section 1.3(D)(5) of the Election Ordinance also states that "Each [required criminal background investigations] must include a comprehensive search of federal, state, and the readily available tribal records for each candidate's entire adult life;" and

WHEREAS, Section 1.3(D)(5) of the Election Ordinance further states that the required criminal background investigations "shall commence immediately upon filing and execution of the required forms by persons seeking to be candidates and be completed prior to the date the notice of certification of candidates is due[;]" and

WHEREAS, pursuant to 24 MLBS § 1054(j), the "Solicitor General is authorized to perform background investigations for purposes of employment and election purposes[;]" and

WHEREAS, the results of the criminal background investigations are confidential and shall be sealed by the Solicitor General upon completion and remain sealed until personally delivered to the Joint Session of the Band Assembly on the date established for certification of the candidates when the envelope(s) will be opened by the elected officials; and

WHEREAS, the Solicitor General shall ensure that any employee who may handle the confidential results of the criminal background investigations of the candidates be required to maintain the confidential nature of these findings and shall ensure that no communications to third parties be made.

NOW, THEREFORE, BE IT RESOLVED, that the Office of the Solicitor General is hereby designated as the entity responsible for conducting the criminal background investigations of candidates for the 2024 Mille Lacs Band elections.

BE IT FURTHER RESOLVED, that the Office of the Solicitor General is authorized to utilize a third party to conduct the background investigations.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 22nd day of January, 2024, at Nayahshing, Minnesota, by a vote of 5 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-05-24

A RESOLUTION APPOINTING AN ELECTION COURT OF APPEALS JUDGE FOR THE 2024 MINNESOTA CHIPPEWA TRIBE ELECTION ON THE MILLE LACS RESERVATION

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly is empowered to adopt resolutions; and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive has the power to exercise the executive powers of Band government; and

WHEREAS, the Tribal Executive Committee of the Minnesota Chippewa Tribe ("MCT") adopted a revised Election Ordinance on December 11, 2023; and

WHEREAS, Section 3.4(A) of the Election Ordinance establishes an "MCT Tribal Election Court of Appeals ("Court") which is "comprised of a person named by each of the six Bands ("Judge"), chosen as determined by the Band. The Judge representing the Band from which the appeal is taken must be recused from sitting on that matter. In all cases, there shall be five (5) members of the Court[;]" and

NOW, THEREFORE, BE IT RESOLVED, that Ryan Simafranca is hereby appointed as an MCT Election Court of Appeals Judge to perform all lawful duties as expressed by the Election Ordinance.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 22nd day of January, 2024, at Nayahshing, Minnesota, by a vote of 5 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

DISTRICT I
43408 Oodena Drive • Onamia, M
(320) 532-4181 • Fax (320) 532

DISTRICT II
65 • McGregor, MN 55760
• Fax (218) 768-3903

DISTRICT IIA
2605 Chiminising Drive • Isle, MN 56342
(320) 676-1102 • Fax (320) 676-3432

DI
45749 Grace Lake Roa
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URBAN OFFICE
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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-06-24

A RESOLUTION APPOINTING AN ELECTION CONTEST JUDGE AND ALTERNATE ELECTION CONTEST JUDGE FOR THE 2024 MINNESOTA CHIPPEWA TRIBE ELECTION ON THE MILLE LACS RESERVATION

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly is empowered to adopt resolutions; and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive has the power to exercise the executive powers of Band government; and

WHEREAS, the Tribal Executive Committee of the Minnesota Chippewa Tribe ("MCT") adopted a revised Election Ordinance on December 11, 2023; and

WHEREAS, pursuant to Section 1.7(D) of the Election Ordinance, within "three (3) business days following the notice of certification of candidates for either a Regular Election or Special Election, the Band governing body must designate an Election Contest Judge and an Alternate Election Contest Judge and notify the MCT and the Judges of such designation[;]" and

WHEREAS, pursuant to Section 1.7(D) of the Election Ordinance, if "the Election Contest Judge becomes unable or unwilling to serve, the Alternate Election Contest Judge must take his/her place[;]" and

WHEREAS, pursuant to Section 1.7(D) of the Election Ordinance, the "Election Contest Judge and Alternate Election Contest Judge must have a thorough understanding of [the Election] Ordinance[;]" and

WHEREAS, pursuant to Section 1.7(D) of the Election Ordinance, the "qualifications of the Election Contest Judge and Alternate Election Contest Judge shall be determined by the Band governing body[;]" and

WHEREAS, pursuant to Section 1.7(D) of the Election Ordinance, the "Election Contest Judge must perform the duties described in [the Election] Ordinance for the election that is the subject of the Announcement[;]" and

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DISTRICT IIA
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WHEREAS, pursuant to Section 1.7(D) of the Election Ordinance, the "term of such judge will be determined by the Band governing body, provided that the term shall be for the duration of the election cycle."

NOW, THEREFORE, BE IT RESOLVED, that Amy Weisgram is hereby appointed as the Election Contest Judge for the 2024 MCT Election on the Mille Lacs Reservation for a term expiring July 31, 2024.

BE IT FURTHER RESOLVED, that Joseph Jensen is hereby appointed as the Alternate Election Contest Judge for the 2024 MCT Election on the Mille Lacs Reservation for a term expiring July 31, 2024.

BE IT FURTHER AND FINALLY RESOLVED, that both the Election Contest Judge and Alternate Election Contest Judge must take oaths prior to assuming their duties in accordance with Section 1.7(D) of the Election Ordinance.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 2nd day of February, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-07-24

A RESOLUTION APPROVING THE USE OF AN AUTOMATED BALLOT TABULATION SYSTEM FOR THE 2024 MINNESOTA CHIPPEWA TRIBE ELECTION ON THE MILLE LACS RESERVATION

WHEREAS, the Joint Session of the Band Assembly of the Non-Removable Mille Lacs Band of Ojibwe ("Band") is the Band governing body as referred to in the Minnesota Chippewa Tribe Election Ordinance; and

WHEREAS, the Joint Session of the Band Assembly is comprised of the Secretary-Treasurer/Speaker of the Assembly, the Chief Executive, the District I Representative, the District II Representative, and the District III Representative in accordance with 3 MLBS § 27(b); and

WHEREAS, the Tribal Executive Committee of the Minnesota Chippewa Tribe ("MCT") adopted a revised Election Ordinance on December 11, 2023; and

WHEREAS, the Joint Session believes that it is in the best interest of the Band to utilize an automated ballot tabulation system to ensure the integrity of the election process for the 2024 Minnesota Chippewa Tribe election cycle.

NOW, THEREFORE, BE IT RESOLVED, that the Joint Session approves the use of an automated ballot tabulation system for the 2024 Minnesota Chippewa Tribe election cycle.

BE IT FURTHER AND FINALLY RESOLVED, that the Joint Session authorizes the formalization of an agreement with Automated Election Services to assist the General Reservation Election Board in the conduct of its duties under the Election Ordinance.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 2nd day of February, 2024, at Nayahshing, Minnesota, by a vote of 5 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

D
43408 Oodena D
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DISTRICT II
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4574
stone, MN 55072
(32
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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-08-24

A RESOLUTION DESIGNATING THE COMMUNITY ROOM AT THE OLD DISTRICT I COMMUNITY CENTER AS THE MILLE LACS BAND OF OJIBWE ELECTION OFFICE

WHEREAS, the Joint Session of the Band Assembly of the Non-Removable Mille Lacs Band of Ojibwe ("Band") is the Band governing body as referred to in the Minnesota Chippewa Tribe Election Ordinance; and

WHEREAS, the Joint Session of the Band Assembly is comprised of the Secretary-Treasurer/Speaker of the Assembly, the Chief Executive, the District I Representative, the District II Representative, and the District III Representative in accordance with 3 MLBS § 27(b); and

WHEREAS, the Tribal Executive Committee of the Minnesota Chippewa Tribe ("MCT") adopted a revised Election Ordinance on December 11, 2023; and

WHEREAS, the conduct of an election and operations of the General Reservation Election Board require a secure location in which to store sensitive information; and

WHEREAS, the community room at the old District I Community Center has been used successfully for this purpose in past elections.

NOW, THEREFORE, BE IT RESOLVED, that the Joint Session hereby approves the community room at the old District I Community Center as the Election Office for the Band, effective immediately and to expire upon completion of the 2024 election cycle.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 2nd day of February, 2024, at Nayahshing, Minnesota, by a vote of 5 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Sheldon Boyd, Speaker of the Assembly

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DISTRICT II
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DISTRICT IIA
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THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-09-24

A RESOLUTION DEFINING THE MILLE LACS BAND RESERVATION TO ESTABLISH VOTING DISTRICTS AND DESIGNATE POLLING PLACES

WHEREAS, the Joint Session of the Band Assembly of the Non-Removable Mille Lacs Band of Ojibwe ("Band") is the Band governing body as referred to in the Minnesota Chippewa Tribe Election Ordinance; and

WHEREAS, the Joint Session of the Band Assembly is comprised of the Secretary-Treasurer/Speaker of the Assembly, the Chief Executive, the District I Representative, the District II Representative, and the District III Representative in accordance with 3 MLBS § 27(b); and

WHEREAS, the Tribal Executive Committee of the Minnesota Chippewa Tribe ("MCT") adopted a revised Election Ordinance on December 11, 2023; and

WHEREAS, § 1.3(B) of the Election Ordinance authorizes the Band governing body to define the "reservation" for the purposes of establishing eligibility and certification to an elected position with the Band so as "to include specified lands outside the boundaries of the reservation, as may be defined by treaty, statute, executive order, or other document considered sufficient authority by the Band governing body, including all lands considered Indian Country under the governmental authority of that Reservation[;]" and

WHEREAS, § 1.4(B) of the Election Ordinance states that "[e]ach Band governing body by official action must designate polling places for its . . . reservation[;]" and

WHEREAS, § 1.4(C) of the Election Ordinance states that "[e]ach Band governing body may, by official action, establish voting precincts in off-reservation areas where it deems it has sufficient eligible voters to warrant a voting polling place[;]" and

WHEREAS, § 1.4(D) of the Election Ordinance states that "[e]ach Band governing body may establish alternative polling places in the event an emergency makes a polling place . . . unavailable[;]" and

WHEREAS, the boundaries of District I and part of District II(a) are within the boundaries of the Mille Lacs Indian Reservation, as established in the 1855 Treaty with the Chippewa, 10 Stat. 1165 (Feb. 22, 1855) ("the 1855 Treaty"); and

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DISTRICT II
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DISTRICT IIA
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DISTRICT III
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URBAN OFFICE
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WHEREAS, the boundaries of part of District II are within the boundaries of the Rice Lake and Sandy Lake Reservations, as established in the 1855 Treaty; and

WHEREAS, the boundaries of District III are outside the boundaries established by the 1855 Treaty; and

WHEREAS, the Joint Session recognizes that hundreds of Band members reside in the Minneapolis-St. Paul metropolitan area and surrounding counties, which warrants establishment of a separate polling place outside the reservation.

NOW, THEREFORE, BE IT RESOLVED, that the Joint Session defines the election districts for the purpose of eligibility and certification of candidates:

District I:
District I shall include all lands, including fee lands, within Township 43 North, Range 27 West; Township 42 North, Range 27 West; Township 42 North, Range 26 West; and such part of Township 42 North, Range 25 West that is west of the city limits of Isle and west of Highways 17 and 27 dividing Township 42 North, Range 25 West.

District II(a):
District II(a) shall include all lands, including fee lands, within Township 42 North, Range 25 West that lie within the city limits of Isle and those lands east of Highways 17 and 27 that divide Township 42 North, Range 25 West.

District II:
District II shall include all lands held in trust by the United States for the Mille Lacs Band, all laws held in trust for the Minnesota Chippewa Tribe under the jurisdiction of the Mille Lacs Band, and all individual allotted lands, including Band-owned fee lands within a twenty-five (25) mile radius of the East Lake Community Center and under the jurisdiction of the Band.

District III:
District III shall include all lands held in trust by the United States for the Mille Lacs Band, all lands held in trust for the Minnesota Chippewa Tribe under the jurisdiction of the Mille Lacs Band, and all individual allotted lands, including Band-owned fee lands within a twenty-five (25) mile radius of the Lake Lena Community Center, located in Minnesota and under the jurisdiction of the Mille Lacs Band.

Urban:
The Urban voting precinct shall be provided for those Band members who reside in the Minneapolis-St. Paul metropolitan area and the counties of Hennepin, Ramsey, Anoka, Washington, Carver, Scott, and Dakota.

BE IT FURTHER RESOLVED, that the voting districts for the Band shall be as follows:

District I:
District I shall include all lands, including fee lands, within Township 43 North, Range 27 West; Township 42 North, Range 27 West; Township 42 North, Range 26 West; and such part of Township 42 North, Range 25 West that is west of the city limits of Isle and west of Highways 17 and 27 dividing Township 42 North, Range 25 West.

District II(a):
District II(a) shall include all lands, including fee lands, within Township 42 North, Range 25 West that lie within the city limits of Isle and those lands east of Highways 17 and 27 that divide Township 42 North, Range 25 West.

District II:
District II shall include all lands held in trust by the United States for the Mille Lacs Band, all laws held in trust for the Minnesota Chippewa Tribe under the jurisdiction of the Mille Lacs Band, and all individual allotted lands, including Band-owned fee lands within a twenty-five (25) mile radius of the East Lake Community Center and under the jurisdiction of the Band.

District III:
District III shall include all lands held in trust by the United States for the Mille Lacs Band, all lands held in trust for the Minnesota Chippewa Tribe under the jurisdiction of the Mille Lacs Band, and all individual allotted lands, including Band-owned fee lands within a twenty-five (25) mile radius of the Lake Lena Community Center, located in Minnesota and under the jurisdiction of the Mille Lacs Band.

Urban:
The Urban voting precinct shall be provided for those Band members who reside in the Minneapolis-St. Paul metropolitan area and the counties of Hennepin, Ramsey, Anoka, Washington, Carver, Scott, and Dakota.

BE IT FURTHER RESOLVED, that the Joint Session designates the following locations as polling places:

District I:
The District I polling place shall be at the old District I Community Center.

District II(a):
The District II(a) polling place shall be located at Isle Community Center.

District II:
The District II polling place shall be located at the East Lake Community Center.

District III:
The District III polling place shall be located at the Lake Lena Community Center.

Urban:
The urban polling place shall be located at the All Nation Indian Church, the address of which is 1515 E. 23rd Street, Minneapolis, MN 55404.

BE IT FURTHER AND FINALLY RESOLVED, that, in the event an emergency makes any polling place unavailable, the General Reservation Election Board shall have the authority to designate an alternative polling place, in accordance with the provisions of the Election Ordinance.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 2nd day of February, 2024, at Nayahshing, Minnesota, by a vote of 5 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-10-24

A RESOLUTION CERTIFYING ELIGIBLE CANDIDATES FOR THE 2024 MINNESOTA CHIPPEWA TRIBE ELECTION ON THE MILLE LACS RESERVATION

WHEREAS, the Joint Session of the Band Assembly of the Non-Removable Mille Lacs Band of Ojibwe ("Band") is the Band governing body as referred to in the Minnesota Chippewa Tribe Election Ordinance; and

WHEREAS, the Joint Session of the Band Assembly is comprised of the Secretary-Treasurer/Speaker of the Assembly, the Chief Executive, the District I Representative, the District II Representative, and the District III Representative in accordance with 3 MLBS § 27(b); and

WHEREAS, the Tribal Executive Committee of the Minnesota Chippewa Tribe ("MCT") adopted a revised Election Ordinance on December 11, 2023; and

WHEREAS, § 1.3(C)(4) of the Election Ordinance mandates that "[e]ach Band governing body must certify eligible candidates for office in accordance with the Minnesota Chippewa Tribe Constitution, the Minnesota Chippewa Tribe Election Ordinance, and the dates and guidelines established for Minnesota Chippewa Tribe Elections[;]" and

WHEREAS, the Band's Office of the Solicitor General has completed criminal background investigations on all candidates who have filed to run for elected office on the Mille Lacs Reservation in 2024 and has found each of them to be eligible in accordance with the MCT Constitution and the MCT Election Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Joint Session hereby certifies Samuel Archie Moose, Wallace Ervin St. John Sr., and Virgil Otis Wind to run for the elected position of Chief Executive on the Mille Lacs Reservation in 2024; and

BE IT FURTHER RESOLVED, that the Joint Session hereby certifies Megan Ann Ballinger, Carolyn Marie Beaulieu, Billie Jo Boyd, Melissa Marie Boyd, Valerie Charissa Harrington-Wind, and Curtis LeRoy Kalk to run for the elected position of District I Representative on the Mille Lacs Reservation in 2024; and

BE IT FURTHER RESOLVED, that the Joint Session hereby certifies Semira Kimpson to run for the elected position of District I Nayahshing School Board Member on the Mille Lacs Reservation in 2024; and

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DISTRICT IIA
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DISTRICT III
45749 Grace Lake Road • Sandstone, MN 55072
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URBAN OFFICE
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(612) 872-1424 • Fax (612) 872-1257

BE IT FURTHER RESOLVED, that the Joint Session hereby certifies Leann Sue Benjamin and Kimberly Jayne Kegg to run for the elected position of Chairperson (At-Large) Nayahshing School Board Member on the Mille Lacs Reservation in 2024; and

BE IT FURTHER AND FINALLY RESOLVED, that the Joint Session hereby certifies Sami Thomas to run for the elected position of District II Nayahshing School Board Member on the Mille Lacs Reservation in 2024.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 12th day of February, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 1 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-11-24

A RESOLUTION APPOINTING RESERVATION ELECTION BOARD MEMBERS FOR THE 2024 MINNESOTA CHIPPEWA TRIBE ELECTION ON THE MILLE LACS RESERVATION

WHEREAS, the Joint Session of the Band Assembly of the Non-Removable Mille Lacs Band of Ojibwe ("Band") is the Band governing body as referred to in the Minnesota Chippewa Tribe Election Ordinance; and

WHEREAS, the Joint Session of the Band Assembly is comprised of the Secretary-Treasurer/Speaker of the Assembly, the Chief Executive, the District I Representative, the District II Representative, and the District III Representative in accordance with 3 MLBS § 27(b); and

WHEREAS, the Tribal Executive Committee of the Minnesota Chippewa Tribe ("MCT") adopted a revised Election Ordinance on December 11, 2023; and

WHEREAS, § 1.7(A) of the Election Ordinance mandates that "the Band governing body must appoint at least four (4) eligible voters of the reservation as the General Reservation Election Board[;]" and

WHEREAS, § 1.7(B)(1) of the Election Ordinance mandates that "the Band governing body must appoint at least three (3) eligible voters from each voting district, and at least one alternate from that district[;]" and

WHEREAS, § 1.7(B)(1) of the Election Ordinance mandates that the "General Reservation Election Board must attend training from the MCT in the application of [the MCT Election Ordinance]" and further allows that "District Board members may also attend."

NOW, THEREFORE, BE IT RESOLVED, that the Joint Session hereby appoints Priscilla Boyd, Lucielle Doffing, Colleen Lueck, Deanna Sam, Nicole Sawyer, and Rachel Wind to serve on the General Reservation Election Board, which shall also act as the District I Election Board, for the 2024 elections on the Mille Lacs Reservation.

BE IT FURTHER RESOLVED, that Deanna Sam shall serve as the Chair of the General Reservation Election Board, which shall also act as the District I Election Board.

BE IT FURTHER RESOLVED, that the appointed Band members for the District I Board shall, at their first official meeting, appoint amongst themselves one Clerk, one Teller, one Monitor, and any alternates as needed.

DISTRICT I
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DISTRICT III
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BE IT FURTHER RESOLVED, that the Joint Session hereby appoints Morningstar Goodsky, Raina Killspotted, Lindsay Misquadace-Berg, Cheyanne Peet, and Jordan Misquadace to serve on the District II Election Board for the 2024 elections on the Mille Lacs Reservation.

BE IT FURTHER RESOLVED, that the appointed Band members for the District II Board shall, at their first official meeting, appoint amongst themselves the Chair, one Clerk, one Teller, one Monitor, and any alternates as needed.

BE IT FURTHER RESOLVED, that the Joint Session hereby appoints Bonnie Dorr, Randy Dorr, Jennifer Gahbow, Rosalie Noonday, Virginia Sam, Brandi Smith, Tammy Smith, Deborah Wanless, and Michele Wanless to serve on the District II-A Election Board for the 2024 elections on the Mille Lacs Reservation.

BE IT FURTHER RESOLVED, that the appointed Band members for the District II-A Board shall, at their first official meeting, appoint amongst themselves the Chair, one Clerk, one Teller, one Monitor, and any alternates as needed.

BE IT FURTHER RESOLVED, that the Joint Session hereby appoints Cassie Benjamin, Michelle Benjamin, Katie Draper, Diane Gibbs, Loretta Hansen, Bruce Hanson, Bonnie Matrious, Jeremy Sutton, and Wanetta Thompson to serve on the District III Election Board for the 2024 elections on the Mille Lacs Reservation.

BE IT FURTHER RESOLVED, that the appointed Band members for the District III Board shall, at their first official meeting, appoint amongst themselves the Chair, one Clerk, one Teller, one Monitor, and any alternates as needed.

BE IT FURTHER AND FINALLY RESOLVED, that the Joint Session hereby appoints Leana DeJesus, Jenesis Fonder, Anne Greer, Kelly Miller, Jacqueline Redearth, Tehya Spears, Janice Standingcloud, and Tawnya Stewart to serve on the Urban Election Board for the 2024 elections on the Mille Lacs Reservation.

BE IT FURTHER RESOLVED, that the appointed Band members for the Urban Board shall, at their first official meeting, appoint amongst themselves the Chair, one Clerk, one Teller, one Monitor, and any alternates as needed.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 12th day of February, 2024, at Nayahshing, Minnesota, by a vote of 5 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-12-24

A RESOLUTION APPROVING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR THOSE WHO MEET THE 1/ 4 DEGREE REQUIREMENT OF THE MINNESOTA CHIPPEWA TRIBE

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children[;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated thirty-seven (37) individuals *do* meet the 1/4 blood quantum degree requirement for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

DISTRICT I
43408 Oodena Drive • Onamia, MN 56359
(320) 532-4181 • Fax (320) 532-4209

DISTRICT II
36666 State Highway 65 • McGregor, MN 55760
(218) 768-3311 • Fax (218) 768-3903

DISTRICT IIA
2605 Chiminising Drive • Isle, MN 56342
(320) 676-1102 • Fax (320) 676-3432

DISTRICT III
45749 Grace Lake Road • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 384-6190

URBAN OFFICE
1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

Eligible Applicants April 2024

Name:	Date of Birth:	Status:	Blood Quantum:
[redacted]			

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive approve the above applications for enrollment and approve all rights provided for Non-Removable Mille Lacs Band of Ojibwe, Minnesota Chippewa Tribe enrollees.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 15th day of April, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-13-24

A RESOLUTION DENYING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR THOSE WHO DO NOT MEET THE 1/4 DEGREE REQUIREMENT OF THE MINNESOTA CHIPPEWA TRIBE

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children [;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated nineteen (19) individuals do *not* meet the ¼ blood quantum degree requirement for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

Ineligible Applicants April 2024

Name:	Date of Birth:	Status:	Blood Quantum:
[redacted]			

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive deny the above applications for enrollment in the Non-Removable Mille Lacs Band of Ojibwe on the grounds that the applications do not meet the requirements prescribed by Article II of the Revised Constitution of the Minnesota Chippewa Tribe.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 15th day of April, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

MILLE LACS BAND OF OJIBWE

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-14-24

A RESOLUTION DENYING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR APPLICANTS WHO WERE NOT BORN TO AN ENROLLED MILLE LACS BAND MEMBER

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children [;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated five (5) individual(s) were *not* born to an enrolled Band member and therefore are *not* eligible for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

DISTRICT I
43408 Oodena Drive • Onamia, MN 56359
(320) 532-4181 • Fax (320) 532-4209

DISTRICT II
36666 State Highway 65 • McGregor, MN 55760
(218) 768-3311 • Fax (218) 768-3903

DISTRICT IIA
2605 Chiminising Drive • Isle, MN 56342
(320) 676-1102 • Fax (320) 676-3432

DISTRICT III
45749 Grace Lake Road • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 384-6190

URBAN OFFICE
1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

Ineligible -No Parent Enrolled Applicants April 2024

Name:	**Date of Birth:**
[redacted]	

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive deny the above applications for enrollment in the Non-Removable Mille Lacs Band of Ojibwe on the grounds that the applications do not meet the requirements prescribed by Article II of the Revised Constitution of the Minnesota Chippewa Tribe.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 15th day of April, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

MILLE LACS BAND OF OJIBWE

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-15-24

A RESOLUTION APPROVING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR THOSE WHO MEET THE 1/ 4 DEGREE REQUIREMENT OF THE MINNESOTA CHIPPEWA TRIBE

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children[;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated thirty-six (36) individuals *do* meet the 1/4 blood quantum degree requirement for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

Eligible Applicants July 2024

Name:	Date of Birth:	Status:	Blood Quantum:
[redacted]			

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive approve the above applications for enrollment and approve all rights provided for Non-Removable Mille Lacs Band of Ojibwe, Minnesota Chippewa Tribe enrollees.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 1st day of July, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-16-24

A RESOLUTION DENYING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR THOSE WHO DO NOT MEET THE 1/4 DEGREE REQUIREMENT OF THE MINNESOTA CHIPPEWA TRIBE

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children [;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated thirty-five (35) individuals do *not* meet the ¼ blood quantum degree requirement for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

Ineligible Applicants July 2024

Name:	Date of Birth:	Status:	Blood Quantum:
[redacted]			

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive deny the above applications for enrollment in the Non-Removable Mille Lacs Band of Ojibwe on the grounds that the applications do not meet the requirements prescribed by Article II of the Revised Constitution of the Minnesota Chippewa Tribe.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 1st day of July, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-01-17-24

A RESOLUTION DENYING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR APPLICANTS WHO WERE NOT BORN TO AN ENROLLED MILLE LACS BAND MEMBER

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children [;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated four (4) individual(s) were *not* born to an enrolled Band member and therefore are *not* eligible for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

Ineligible -No Parent Enrolled Applicants July 2024

Name:	**Date of Birth:**
[redacted]	

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive deny the above applications for enrollment in the Non-Removable Mille Lacs Band of Ojibwe on the grounds that the applications do not meet the requirements prescribed by Article II of the Revised Constitution of the Minnesota Chippewa Tribe.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 1st day of July, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

MILLE LACS BAND OF OJIBWE

THE MILLE LACS BAND OF

OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-02-19-24

A RESOLUTION APPROVING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR THOSE WHO MEET THE 1/ 4 DEGREE REQUIREMENT OF THE MINNESOTA CHIPPEWA TRIBE

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children[;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated thirty-nine (39) individuals *do* meet the 1/4 blood quantum degree requirement for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

Eligible Applicants October 2024

Name:	Date of Birth:	Status:	Blood Quantum:
[redacted]			

* Confidential

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive approve the above applications for enrollment and approve all rights provided for Non-Removable Mille Lacs Band of Ojibwe, Minnesota Chippewa Tribe enrollees.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 9th day of October, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

THE MILLE LACS BAND OF

OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT SESSION OF THE BAND ASSEMBLY
RESOLUTION 21-02-20-24

A RESOLUTION DENYING THE ENROLLMENTS INTO THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE FOR THOSE WHO DO NOT MEET THE 1/4 DEGREE REQUIREMENT OF THE MINNESOTA CHIPPEWA TRIBE

WHEREAS, the Non-Removable Mille Lacs Band of Ojibwe ("Band") is a member tribe of the Minnesota Chippewa Tribe; and

WHEREAS, Article II, Section 1(c) of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe states that enrolled members include "[a]ll children of at least one quarter (1/4) degree Minnesota Chippewa Indian blood born after July 3, 1961, to a member, provided that an application for enrollment was or is filed with the Secretary of the Tribal Delegates or the Tribal Executive Committee within one year after the date of birth of such children [;]" and

WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the Band's duly-elected legislative body; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and

WHEREAS, pursuant to 3 MLBS § 27(b), the "membership of the Joint Session of the Band Assembly shall be the Speaker of the Assembly, who shall preside, the District One Representative, the District Two Representative, the District Three Representative and the Tribal Chairman/Chief Executive[;]" and

WHEREAS, pursuant to 4 MLBS § 6, the Chief Executive is empowered to exercise the executive branch powers of the Band; and

WHEREAS, the Band Assembly and Chief Executive have reviewed Article II-Membership of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the applications for enrollment stated herein, finding and agreeing that the below-stated forty-seven (47) individuals do *not* meet the ¼ blood quantum degree requirement for enrollment into the Non-Removable Mille Lacs Band of Ojibwe:

Ineligible Applicants October 2024

Name:	Date of Birth:	Status:	Blood Quantum:
[redacted]			

[redacted]

*** Confidential**

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive deny the above applications for enrollment in the Non-Removable Mille Lacs Band of Ojibwe on the grounds that the applications do not meet the requirements prescribed by Article II of the Revised Constitution of the Minnesota Chippewa Tribe.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a Joint Session of the Band Assembly, a quorum of elected officials being present, held on the 9th day of October, 2024, at Nayahshing, Minnesota, by a vote of 4 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Joint Session of the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

Sheldon Boyd, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND

MILLE LACS BAND OF OJIBWE

Chapter 5 – Executive Orders

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Order 2024-01 – Convening an Executive Inquiry and Appointing a Hearing Officer Regarding Laws, Processes, Policies and Procedures for Management of Misconduct Allegations Against Employees, Appointed and Elected Officials 490

EXECUTIVE ORDER 2024-01

AN EXECUTIVE ORDER CONVENING AN EXECUTIVE INQUIRY AND APPOINTING A HEARING OFFICER REGARDING LAWS, PROCESSES, POLICIES AND PROCEDURES FOR MANAGEMENT OF MISCONDUCT ALLEGATIONS AGAINST EMPLOYEES, APPOINTED AND ELECTED OFFICIALS

Section 1. Purpose

The purpose of this Executive Order is to conduct an official Executive Inquiry into the Non-Removable Mille Lacs Band of Ojibwe's laws, processes, policies, and procedures regarding misconduct allegations against employees and appointed and elected officials and for recommendations as to the same.

Section 2. Policy

It is crucial for the Non-Removable Mille Lacs Band of Ojibwe to handle allegations against employees, elected and appointed officials appropriately to foster a safe and respectful workplace environment for all employees and Band members. By addressing these allegations seriously and impartially, the Band can demonstrate a commitment to upholding ethical standards and protecting the well-being and dignity of all. Failing to handle such allegations properly can lead to a toxic work culture, decreased morale, increased turnover, damage to the Band's reputation, and risks to the receipt of federal funding.

Section 3. Sources of Authority

The following statutory provisions serve as the basis for this Executive Order:

(a) 4 MLBS §12(a)(3) – the Chief Executive's authority to hold executive hearings for the purpose of inquiring into "matters affecting the general welfare of the Band or its organs of government."

(b) 4 MLBS §13(a) - the Chief Executive's authority to appoint a suitable person as Hearing Officer to conduct Executive Hearings.

(c) 4 MLBS §12(c) – the powers of subpoena available to a Hearing Officer.

Section 4. Appointment of Hearing Officer

In accordance with 4 MLBS §13(a), this Executive Order appoints Joshua Jay Kanassatega, Esq. d/b//a Institute for Development of Culturally Focused Governance Policies for Indigenous People as Hearing Officer based on his professional education and experience as an attorney-at-law, former Solicitor General of the Mille Lacs Band of Ojibwe and retired law professor.

Section 5. Expiration

This Executive Order will effectuate upon issuance and remain in effect until delivery of the decision of the Hearing Officer, or June 30, 2024, whichever occurs first.

Issued on June 4, 2024:

Melanie Benjamin
Chief Executive

As to form and numbering according to 25 MLBS § 4(f)

Hanna Valento
Revisor of Statutes

6/5/2024
Date

Chapter 6 – Commissioner's Orders

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MILLE LACS BAND OF OJIBWE
DEPARTMENT OF NATURAL RESOURCES

COMMISSIONER'S ORDER 2024-01

A Commissioner's Order Establishing The Minnesota 1837 Ceded Territory Tribal Fish Harvesting Annual Quota Year

Section 1. Purpose
Because of this year's weather conditions resulting in early ice out, the 2024 quota year under section 9.03 shall begin on March 11, 2024 and end on March 31, 2025. As required by the Protocol, prior to issuing this Order the Tribe has consulted with the Great Lakes Indian Fish and Wildlife Commission's Biological Services Director. Nothing in this order is intended to, or shall be construed to, limit the authority of the Tribe to establish tribal fishing regulations or other measures that are more restrictive than is provided in this Order.

Section 2. Sources of Authority
This Commissioner's Order changes the Bands' annual fishing quota year for the Minnesota portion of the 1837 ceded territory pursuant to the authority granted by Part V, §10 of the Interim Treaty Fisheries Management Plan for the 1837 Minnesota Ceded Territory for 2024-25, and 9.03 of the Tribes' Off-Reservation Conservation Codes. These provisions provide for the issuance of a Commissioner's Order to change the annual fishing quota year based on early ice-out conditions.

Section 3. Definitions
Terms used in the Code shall be given the meaning set forth in the Codes when used in this Order.

Section 4. Effectiveness and Expiration
This Commissioner's Order is effective the 11th day of March, 2024.
This Commissioner's Order will expire on the 31st day of March, 2025.

Kelly Applegate 3/11/2024
Kelly Applegate
Commissioner of Natural Resources

BAND SEAL

As to form and numbering according to Title 25 § 4(f).

Hanna Valento
Hanna Valento
Revisor of Statutes

3/11/2024
Date

DISTRICT I
43408 Oodena Drive • Onamia, MN 56359
(320) 532-7439

DISTRICT II
36666 State Highway 65 • McGregor, MN 55760
(320) 364-6240 • Fax (218) 768-3903

DISTRICT III
45749 Grace Lake Road • Sandstone, MN 55072
(218) 768-3311 • Fax (320) 384-6190

URBAN OFFICE
1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

COMMISSIONER'S ORDER NO. 2024-02

A COMMISSIONER'S ORDER ESTABLISHING WATER QUALITY STANDARDS OF THE MILLE LACS BAND OF CHIPPEWA INDIANS

Section 1. Authority.

(a) Pursuant to 11 MLBS § 1(a), Mille Lacs Band Statutes Title 11 – Environment, Natural Resources, Animals and Plants is enacted by the inherent aboriginal and sovereign rights of the members of the Mille Lacs Band of Chippewa Indians, also known as the Mille Lacs Band of Ojibwe ("Band"), the Treaties of 1837 and 1855, and by the authority vested in the Mille Lacs Bands of Ojibwe under Article I, Section 3; Article VI, Sections 1 and 2; and Article XIII of the Constitution of the Minnesota Chippewa Tribe.

(b) Pursuant to 11 MLBS § 1(c), water quality standards as minimum environmental standards established by the laws and regulations promulgated by the United States of America, which includes Water Quality Standards Regulation (40 CFR 131), Water Quality Guidance for the Great Lakes System (40 CFR 132), and sections 303 and 518 of the Clean Water Act (33 U.S.C. §§ 1313 and 1377), are made tribal law, unless supplemented by more restricted standards of Band law.

(c) Pursuant to 11 MLBS § 2, the reason for Title 11 is to protect the natural resources within the jurisdiction of the Band as defined under the Constitution of the Minnesota Chippewa Tribe, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984), amended June 15, 1935 (49 Stat. 3781) and approved by the Secretary of Interior on July 24, 1936.

Section 2. Purpose.

(a) Pursuant to 11 MLBS § 1, the purposes of these water quality standards are:

(1) To achieve a reasonable degree of purity of air, water, land, and natural resources of the Band consistent with the maximum enjoyment and use

thereof in furtherance of the welfare of all persons within the jurisdiction of the Band.

(2) To establish and further the environmental policies of the Band to provide for the prevention, control and abatement of the pollution of the air, water, and land, so far as feasible and practical, in furtherance of conservation of the natural resources and public health and safety of all territories subject to the jurisdiction of the Band. Such efforts are necessary for the protection of present and future vital security interests of the Band and its members.

(3) To safeguard the air, waters, and lands of the Band from pollution by preventing any new pollution and abating pollution, under a program consistent with the declaration of policy stated and the minimum environmental standards established by the laws and regulations promulgated by the United States of America, unless supplemented by more restricted standards of Band law.

(4) To perpetuate commonly held traditional beliefs, amongst American Indian people that human beings have a duty to peacefully co-exist within the natural environment. Human beings further have a natural duty to protect the environment which provides humans with life-sustaining natural resources.

(5) That each person has an inalienable right to the protection, preservation, and enhancement of air, water, land and other natural resources located within the jurisdiction of the Band and that each person has a legal duty to aid in the protection, preservation and enhancement of air, water, land and other natural resources located within the jurisdiction of the Band, so that all human beings may live in harmony with nature.

(6) To enact and enforce a series of environmental protection measures which shall, at a minimum, equal the environmental protection laws of the United States of America and, if necessary and prudent exceed the minimum standards established by federal law.

(b) Pursuant to 11 MLBS § 102, water quality standards are needed as the Band finds that water is the primary resource of the natural resources system, the protection of the quality and quantity of the water resources is the primary objective of these laws and furthermore, the inter-relationships of water and other natural resources is such that the management of soil, timber, air and mineral resources has both direct and indirect effects upon the quality and quantity of the water, fish, wild rice, and wildlife resources.

Section 3 Scope.

Pursuant to 11 MLBS § 9, these water quality standards shall apply to all waters of the Mille Lacs Band of Chippewa Indians as defined in 11 MLBS § 103(o) as all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifer, irrigation system, drainage systems, and all other accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon Band lands, and which are contained with, flow through or border upon any other lands where Band member's rights of hunting, fishing, trapping, and gathering rice are reserved.

Section 4. Reservation of Rights.

(a) The Commissioner of Natural Resources reserves the right to amend or repeal all or any part of these water quality standards at any time, as long as requirements of Title 11 are met. Nothing in these water quality standards shall be construed to constitute a waiver of the sovereign immunity of the Mille Lacs Band of Chippewa Indians or consent to jurisdiction by any forum not expressly authorized to exercise jurisdiction per Title 11. These water quality standards are not intended to control, and shall not be invalidated by, natural background phenomena, or natural disasters.

(b) Any proposed changes or revisions to these standards shall be preceded by a public notice in a local newspaper, and a minimum forty-five (45) consecutive day comment period. During this comment period, any Band member or other interested persons may request in writing a public hearing prior to adoption of such changes or revisions by the Band's Department of Natural Resources. Upon approval of a public hearing request, the Department of Natural Resources shall by public notice in a local newspaper announce the date, time and location of such public hearing and said public notice shall be published at least forty-five (45) consecutive days prior to the public hearing. Any reports, documents, and data relevant to the discussion at the public hearing shall be available at least thirty (30) days before the hearing.

(c) These standards shall be reviewed and updated, as necessary and appropriate, by the Department of Natural Resources at least once every three years. Prior to such action, any proposed changes or revisions to these standards shall be preceded by a public notice in a local newspaper and a minimum forty-five (45) consecutive day comment period. In addition, the Department of Natural Resources shall conduct a public hearing to obtain comments on these standards and there shall be public notice in a local newspaper to announce the date, time, and location of such public hearing. The public notice shall be published at least forty-five (45) consecutive days prior to the public hearing. Any reports, documents, and data relevant to the discussion at the public hearing shall be available at least thirty (30) days before the hearing.

Section 5. Water-Policy and Goals.

(a) Purpose.

(1) Water has always been integral and sacred in the lives of the Mille Lacs Band of Chippewa Indians. Water ensures survival, identity, and culture. Water is life-supporting, connecting humans to the Earth and to all other living beings. It is the duty of the Mille Lacs Band of Chippewa Indians to protect the health and welfare of its peoples, and the integrity of tribal, aquatic, natural, and cultural resources.

(2) The waters of the Mille Lacs Band of Chippewa Indians will be protected from permanent detectable alteration or degradation. The quality of the water will be maintained or improved to guarantee the treaty rights of the members of the Mille Lacs Band of Chippewa Indians.

(b) To accomplish its ends, the Mille Lacs Band of Chippewa Indians shall:

(1) Identify designated and existing uses as well as numeric and narrative criteria to protect all uses;

(2) Identify an anti-degradation standard which classifies all Band waters as Outstanding Tribal Resource Water (OTRW);

(3) Prescribe methods and implementation procedures to maintain and protect OTRW classification;

(4) Preserve and protect all things within the aquatic ecosystem that support the cultural integrity, health, welfare, economic security, environmental quality, safety, treaty rights and inherent sovereignty of the Mille Lacs Band of Chippewa Indians; and

(5) Ensure adequate water quality to support all aquatic life which includes plants, invertebrates, fish and wildlife, as well as water quality sufficient to support unrestricted recreational uses in and on the water, traditional tribal uses, unrestricted public consumption of surface and ground water and organisms contained therein, and all other uses of the surface waters consistent with the physical, social and economic well-being of the Mille Lacs Band of Chippewa Indians and its members.

(c) These standards will be those as set forth by Water Quality Standards Regulation (40 U.S.C. § 131) and the Clean Water Act (33 U.S.C. § 1251 *et seq.*).

(d) The standard shall govern all human activities affecting waters of the Mille Lacs Band of Chippewa Indians including, but not limited to: agriculture, aquaculture of fish, wild rice, shellfish, and other organisms, construction, energy generation and distribution, industry, manufacturing, mining, navigation, silviculture, stormwater management, transportation, wastewater treatment and disposal, plus domestic and commercial uses and discharges.

Section 6. Water-Definitions.

In addition to definitions pursuant to 11 MLBS § 103, following definitions shall apply to the terms of this standard:

(a) **Alkalinity** means the buffering capacity of a water body; a measure of the ability of the water body to neutralize acids and bases and thus maintain a fairly stable pH level.

(b) **Ambient** means that concentration which exists without point source pollution as established by MLBCI Research Lab.

(c) **Antidegradation standard** shall mean the standard set forth in the water quality regulations under the Clean Water Act, as established by the United States Environmental Protection Agency, where by existing and future uses and the level of water quality necessary to maintain those uses is maintained and protected. (See 40 CFR § 131.12).

(d) **Aquatic life** shall mean plants, invertebrates, fish and wildlife in the water.

(e) **Bacteria** means Escherichia coli (E. coli) and/ or its indicator fecal coliform.

(f) **Bioaccumulation** means the net accumulation of a substance by an organism as a result of uptake from all environmental sources.

(g) **Conductivity** means the ability or power to conduct or transmit heat, electricity, or sound expressed in microsiemens per centimeter (µS/cm).

(h) **Designated and existing uses** mean those uses, both future and current, set forth in the water quality standards herein.

(i) **Dissolved oxygen** means the amount of oxygen dissolved in water expressed as a concentration in milligrams per liter (mg/L).

(j) **Dissolved solids** mean the dissolved (filterable) solids present in a fluid as determined by use of the method specified in Guidelines Establishing Test Procedures for the Analysis of Pollutants (40 CFR § 136).

(k) **Domestic water supply** means water of the Band that could be used for drinking or culinary purposes after disinfection.

(l) **Fish consumption** mean 142.4 gram/day fish consumption rate found within United State Environmental Protection Agency literature for the protection of subsistence fishers, as found in the "Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health", October 2000. This is supported by the "National Recommended Water Quality Criteria Technical Support Document", November 2002, which lists 148.83 grams/day fish consumption to protect children or women of childbearing age against developmental effects. The MLBCI Research Laboratory shall further break down fish consumption rate into percentages based on trophic levels.

(m) **Fresh water** means all waters not defined as salt water including, but not limited to, rivers upstream of the river mouth, lakes, ponds, and reservoirs.

(n) **Hard water** means water containing 17.1 mg/L or greater in hardness of water.

(o) **Hardness of water** means a measure of the amount of minerals, primarily calcium and magnesium, it contains.

(p) **Human Health standard** shall mean the standard set forth in the water quality regulations under the Clean Water Act, as established by the United States Environmental Protection Agency, where by initially set by formula from the "Great Lakes Water Quality Initiative Criteria Documents for the Protection of Human Health", EPA-820-B-95-006, March 1995, and periodically reviewed, updated and published in the Federal Register as the "Final Updated Ambient Water Quality Criteria for the Protection of Human Health".

(q) **LC_{50}** means the concentration of toxicant that is lethal (fatal) to 50 percent (50%) of the sensitive resident species organisms tested under the test conditions in a specific time.

(r) **Micrograms per Liter (µg/L)** means the concentration at which one microgram is contained in a volume of one liter; one microgram per liter is equivalent to one part per billion (ppb) at unity density.

(s) **Milligrams per Liter (mg/L)** means the concentration at which one milligram is contained in a volume of one liter; one milligram per liter is equivalent to one part per million (ppm) at unity density.

(t) **MLBCI Research Laboratory** means the environmental media, multimedia, and natural resources research laboratory operated by the Mille Lacs Band of Chippewa Indians Department of Natural Resources.

(u) **Narrative Standard** means a standard or criterion expressed in words rather than numerically.

(v) **Nephelometric Turbidity Unit (NTU)** means the unit of measure for turbidity. Turbidity is a measure of light scatter or absorption caused by suspended or colloidal matter in water. Turbidity is measured as an indicator of the effectiveness of filtration treatment.

(w) **Numeric Standard** means a standard or criterion expressed numerically rather than in words.

(x) **Outstanding Tribal Resource Waters (OTRW)** means those waters of the highest quality that are designated by the Commissioner of Natural Resources for their uniqueness or ecological sensitivity. Waters may be designated as OTRW because of their exceptional cultural, aesthetic, recreational, or ecological significance.

(1) **Prohibited Class** means discharges and permanent lowering of water quality are prohibited.

(2) **Restricted Class** means lowered water quality may be allowed under limited circumstances, and are evaluated parameter-by-parameter basis. Even at a lowered water quality, its quality is still high enough to qualify as an OTRW.

(y) **pH** shall mean the negative logarithm of the effective hydrogen ion concentration in gram equivalents per liter; a measure of the acidity or alkalinity of a solution, increasing with increasing alkalinity and decreasing with increasing acidity.

(z) **Pesticide** shall mean any chemical toxicant listed in 11 MLBS § 112(b) that is a pesticide within the meaning of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 *et seq.*).

(aa) **Salinity** means the measure of dissolved salts in water.

(bb) **Settleable solid** means inorganic or organic particles that are being transported or have been transported by water from the site or sites of origin and are settled or are capable of being settled from suspension.

(cc) **Soft water** means water containing less than 17.1 mg/L in hardness of water.

(dd) **Suspended solid** means the total suspended matter that floats on the surface of or is suspended in water, wastewater, or other liquids and which is removable by laboratory filtering.

(ee) **Toxicant, Toxic Substance** means those pollutants or combination of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will, on the basis of information available to the MLBO, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformation, in such organism or its offspring.

(ff) **Toxicity** shall mean the state or degree of being a Toxicant, lethal or sub-lethal adverse effects on representative sensitive organisms, due to exposure to Toxic Substances.

(gg) **Turbidity** means a measure of the amount of suspended material, particles or sediment which has the potential for adverse impacts on aquatic life.

Section 7. Water-Standards

(a) The primary designated uses are aquatic fish consumption, protection of cold and warm water fish, aquatic recreation, and wild rice production. All standards, including Human Health standards, will be interpreted to mean a maximum allowable limit unless otherwise stated.

(1) Numeric standards

Constituent	**Concentration or Limits**
Alkalinity	20 mg/L or more as calcium carbonate ($CaCO_3$) for fresh water aquatic life except where natural concentration is less
Ammonia	0.02 mg/L as (un-ionized ammonia) for fresh water aquatic life
Arsenic	50 µg/L for domestic water supply

Bacteria, fecal coliform	126 colonies/100 mL in domestic water supply and aquatic recreation by monthly geometric mean 1260 colonies/100 mL in domestic water supply and aquatic recreation by no more than 10% of all monthly samples 200 colonies/100 mL in waters not designated for domestic water supply and aquatic recreation
Barium	1 mg/L for domestic water supply
Beryllium	11 µg/L for the protection of aquatic life in soft fresh water 1,100 µg/L for the protection of aquatic life in hard fresh water
Boron	750 µg/L
Cadmium	10 µg/L for domestic water supply Aquatic Life Soft Water: 0.4 µg/L Hard Water: 1.2 µg/L
Chloride	230 mg/L for fresh water aquatic life
Chlorine	2.0 µg/L for salmonid fish 10 µg/L for other fresh water fish
Chlorophyll-a	14 µg/L June through September for eutrophication 9 µg/L June through September for eutrophication and fresh water aquatic life for Mille Lacs Lake
Chromium	50 µg/L for domestic water supply 100 µg/L for fresh water aquatic life
Color	75 color units on platinum-cobalt scale for domestic water supplies
Conductivity	1,000 µS/cm
Copper	1 mg/L for domestic water supply 0.1 × 96 hours LC_{50} for fresh water aquatic life
Cyanide	5.0 µg/L for fresh water aquatic life
Gasses, total dissolved	110% of saturation at existing atmosphere and hydrostatic pressures

Iron	0.3 mg/l for domestic water supply 1.0 mg/L for fresh water aquatic life
Lead	50 µg/L for domestic water supply 0.1 × 96 hour LC_{50} for fresh water aquatic life
Manganese	50 µg/L for domestic water supply and fresh water aquatic life
Mercury	0.144 µg/L for domestic water supply 0.050 µg/L for fresh water aquatic life
Nickel	0.01 × 96 hour LC_{50} for fresh water aquatic life
Nitrogen, total	10 mg/L June through September average for eutrophication
Oil and Grease	Domestic water supplies virtually free from oil and grease 0.01 × 96 hour LC_{50} for fresh water aquatic life
Oxygen, dissolved	5.0 mg/L daily minimum not less than standard for fresh water aquatic life and aquatic recreation
Pesticides	No measurable amounts of any pesticide or any other toxicant will occur in any surface or groundwater
pH	5.0–9.0 for domestic water supply 6.5–9.0 for fresh water aquatic life 6.5–8.5 for physical condition based on maximum and minimum daily readings
Phenol	1 µg/L for all waters
Phosphorous, dissolved ortho	Detect changes from invasive species for fresh water aquatic life
Phosphorus, total	40 µg/L June through September average for eutrophication for fresh water aquatic life and aquatic recreation 30 µg/L June through September average for eutrophication for fresh water aquatic life and aquatic recreation for Mille Lacs Lake
Phthalate esters	0.1 µg/L for fresh water aquatic life

Polychlorinated Biphenyls (PCB)	0.001 µg/L for all waters
Selenium	10 µg/L for domestic water supply 0.01 × 96 hour LC_{50} for fresh water aquatic life
Settleable and Suspended Solids	Fresh water fish and other aquatic life; settleable and suspended solids should not reduce the depth of the compensation point for photosynthetic activity
Silver	50 µg/L for domestic water supply 0.01 × 96 hour LC_{50} for fresh water aquatic life
Dissolved Solids and Salinity	250 mg/L for chlorides and sulfates in domestic water supply.

Natural Salinity %	% Variation Permitted
0.0–3.5	1
3.5–3.5	2
13.5–35.0	4

Sulfate	10 mg/L June through September average for fresh water aquatic life, cultural significance, and wild rice
Sulfide	2 µg/L undissociated H_2S for fresh water aquatic life
Temperature	No more than 3 °F above natural conditions based on monthly average maximum daily temperatures for aquatic life and cultural significance
Transparency (Secchi depth)	1.4 m not less than standard June through September average for eutrophication, fresh water aquatic life, and aquatic recreation 2 m not less than standard June through September average for eutrophication, fresh water aquatic life, and aquatic recreation for Mille Lacs Lake
Turbidity	25 NTU June through September average for physical condition
Zinc	5 mg/L for domestic water supply 0.01 × 96 hour LC_{50} for fresh water aquatic life

(2) Narrative standards

(i) All waters of the Mille Lacs Band of Chippewa Indians shall be free from pollutants or alterations in quantities that, either alone or as a result of interaction with other pollutants, cause the OTRW classification to become more difficult to attain. These waters shall be suitable for their designated uses including, but not limited to, aquatic life including associated habitats to promote a healthy fishery, wild rice production, drinking water, and aquatic recreation.

Long-term historic data may show a waterbody has a natural concentration or characteristic that chronically exceeds the standard. In a case such as this, the standard for that waterbody will be to maintain and not deviate from the background conditions such that there would be a potential significant adverse impact to the designated uses.

(ii) The following conditions in waters of the Mille Lacs Band of Chippewa Indians are prohibited:

(A) The presence of pollutants in quantities that result in unnatural color, oil films or slicks, boating solids, scum, foams, settled solids, suspended solids or deposits in waters of the Mille Lacs Band of Chippewa Indians or on or within the beds of waters of the Mille Lacs Band of Chippewa Indians;

(B) The presence of pollutants in quantities that result in objectionable taste or odor being imparted to either waters of the Mille Lacs Band of Chippewa Indians or organisms living in it or drinking from it;

(C) The presence of pollutants in quantities that result in toxicity to aquatic life, wildlife, domestic animals, or humans;

(D) The presence of pollutants in quantities that result in bioaccumulation in aquatic life leading to toxicity to consumers of the aquatic life;

(E) The presence of pollutants that act as nutrients to plants in quantities that result in the growth of nuisance algae and plants;

(F) The presence of bacteria and/or microorganisms at levels that may impair designated and existing uses of waters of the Mille Lacs Band of Chippewa Indians, including but not limited to:

potential drinking water, recreational, subsistence fishing, hunting, and wild rice gathering, and cultural or ceremonial uses;

(G) Releases of pollutants or human-induced changes to waters of the Mille Lacs Band of Chippewa Indians, the sediments of waters of the Mille Lacs Band of Chippewa Indians or area hydrology that alter natural ambient conditions in waters of the Mille Lacs Band of Chippewa Indians such as, without limitation, flow, stage, dissolved oxygen, pH, and temperature. Natural daily fluctuations of flow, stage, dissolved oxygen, pH, and temperature shall be maintained; and

(H) Releases of pollutants or human-induced changes to waters of the Mille Lacs Band of Chippewa Indians, the sediments of waters of the Mille Lacs Band of Chippewa Indians or area hydrology that result in changes to species composition in waters of the Mille Lacs Band of Chippewa Indians, on the Reservation or in the off-reservation ceded territory. Naturally occurring assemblages of organisms in waters of the Mille Lacs Band of Chippewa Indians shall be maintained.

(3) Anti-degradation standards

The Band realizes that waterbodies currently meeting water quality standards should be protected against future degradation. The Band will implement non-degradation standard which will make it the Band policy to protect all waters of the Mille Lacs Band of Chippewa Indians from significant degradation and to maintain the current designated uses for each waterbody. The Band will prohibit and control the discharges of new point and nonpoint pollution sources to maintain the water quality within the waters of the Mille Lacs Band of Chippewa Indians.

(i) Standard shall be applicable to any activity performed by any source, point or nonpoint, of pollutants or alterations that is anticipated to increase loadings of any pollutants or cause physical, chemical or biological alterations to waters of the Mille Lacs Band of Chippewa Indians including, but not limited to the following: new or increased discharges of pollutants, nutrients, bacteria or sediments; anthropogenic changes in flow, temperature or other physical modifications; alteration or removal of indigenous species to or from waters of the Mille Lacs Band of Chippewa Indians; any other changes

that may permanently impair any cultural, sociological, biological, physical or chemical attributes of those waters for which regulatory authority exists requiring compliance with these water quality standards.

(ii) All waters of the Mille Lacs Band of Chippewa Indians are classified as Outstanding Tribal Resource Waters (OTRW) as defined in 40 CFR 131.12. These waters have exceptional cultural, religious, social, ecological, and recreational attributes of national significance with respect to rare species and the culturally unique Band communities dependent on them. These waters are also classified as OTRW to further protect the downstream Outstanding National Resource Waters or equivalent classification of the Kettle, Mississippi, Rum, and St. Croix Rivers.

(iii) No human activity may directly or indirectly discharge, release, or emit pollutants into the OTRW of the Mille Lacs Band of Chippewa Indians, except on a short-term, temporary basis as described in 11 MLBS § 19. All non-aberrational indigenous species, and supporting ecological parameters, shall be protected regardless of prevalence, condition, or use. Quality of these waters shall be unadulterated.

(b) Any and all human made or human induced regulation of water flow on or through any Reservation of the Mille Lacs Band of Chippewa Indians shall be subject to the stipulations set forth in this subchapter for the provision of adequate water quantities for the preservation and protection of natural resources.

(c) No littering, refuse or garbage disposal will be permitted in any waters of the Mille Lacs Band of Chippewa Indians.

Section 8. Effectiveness and Expiration

(a) This Commissioner's Order will become effect when signed.

(b) This Commissioner's Order will become Federally Enforceable Water Quality Standards for the Mille Lacs Band of Chippewa Indians upon acceptance by the U.S. Environmental Protection Agency.

(c) This Commissioner's Order will remain in effect until it is superseded by statute or rescinded by subsequent Commissioner's Order.

Kelly Applegate 6/28/2024

Kelly Applegate, Date
Commissioner of Natural Resources

As to form and numbering according to Title 25 § 4(f).

Hanna Valento June 28, 2024

Hanna Valento, Date
Revisor of Statutes

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THE MILLE LACS BAND OF
OJIBWE INDIANS

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Office of the Solicitor General

Opinion of the Solicitor General
No. 48-24
May 7, 2024

Title 4 MLBS § 18 reads the Solicitor General shall have the following responsibilities, obligations and authority on behalf of the Non-Removable Mille Lacs Bands of Chippewa Indians: (d) To interpret all laws and executive, legislative, secretarial and commissioner's orders and policies on behalf of the Non-Removable Mille Lacs Bands of Chippewa Indians. (1) All said interpretations shall be titled in the form of Opinion of the Solicitor General, be consecutively numbered, dated as to the date of issuance, and contain the official seal of the Band. (2) All said opinions of the Solicitor General shall have the force of law and shall be binding until annulled by the Court of Central Jurisdiction or amended pursuant to legislative order of the Band Assembly. This opinion is issued pursuant to the authority conferred upon the Solicitor General in 4 MLBS § 18 (d) and shall have the force of law subject to the conditions stated in § 18 (d) (2).

Title 4 MLBS § 25 states should there be any doubt as to the proper interpretation of any part of this title, the Chief Executive may submit such question to the Solicitor General who shall give his or her written opinion thereon, and such opinion shall be binding unless annulled, in whole or part, by the Court of Central Jurisdiction, or amended by the Band Assembly pursuant to enactment of law.

On April 29, 2024, Chief Executive Benjamin made the following request for a Solicitor Opinion:

> I hereby request your opinion regarding the following:
>
> Do Sections 1.02, 1.09, and 1.10 of Ordinance 19-24 exceed the Band Assembly's authority in the context of:
>
> a) the division of powers (*see* 2 MLBS §3),
>
> b) the ability of Commissioners to manage their departments (*see* 4 MLBS §7 and §10), and

> c) the prohibition against District Representatives exercising authority properly belonging to commissioners (*see* 3 MLBS § 9(b)),
>
> by giving the Band Assembly the authority to control all salary and wages for individual employees within approved executive branch budgets?

This is part of an ongoing dispute between the branches that began after Ordinance 59-22 (the biennial appropriations bill for governmental operations for the fiscal years ending September 30, 2022 and September 30, 2023) was introduced, passed and signed into law on July 6, 2022. Sometime after Ordinance 59-22 was enacted, Commissioner of Finance Towle notified persons within the Executive Branch that he was concerned about recent payroll action notices received by the Office of Management and Budget "plac[ing] the persons['] rate of pay at an amount in excess of that which is in the approved biennium budget (Ord. 59-22)." Commissioner Towle indicated that he had instructed OMB staff to "immediately cease processing any PPAN's not already processed, that they are aware will result in the person's rate of pay exceeding that which is in the approved biennium budget." [redacted] Commissioner Towle then advised that changes to position rates of pay within the Executive Branch must be first approved by APB, and then submitted to Band Assembly for approval.

[redacted]

Subsequently, Band Assembly passed Act 19-24 to appropriate for government operations for the 2024 and 2025 fiscal years on March 13, 2024. Section 1.02 contains limiting language that "[s]alary and wages are only permitted to be expended for the Position Titles listed in the budget (Exhibit A), at the corresponding hourly rates or below, unless approved through the Payroll Budget Revision process." (Emphasis added) Sections 1.09 and 1.10 provide Executive Branch budget revision authority but excludes salary and wage revisions. Thus, under the Act, any increases to salary and wage rates must go through the Payroll Budget Revision process. [redacted]

The Chief Executive vetoed the bill on March 19, 2024. Her veto message states in part:

> Sections 1.02, 1.09, and 1.10 propose an extraordinary overreach of the Band Assembly into the Executive Branch by granting the Assembly inappropriate

> decision-making authority over approved budgets of Executive Branch divisions, as well as power over individual salaries of Executive Branch employees. Many Band employees have had their duly earned salary increases delayed by as much as two years. Individual Band employees, including Band Members, have had their salaries challenged and qualifications questioned in public Band Assembly proceedings, which has had a chilling effect on the workforce and created a negative workforce environment. Some of our highest performing employees have left Band employment due to these issues.
>
> Specifically, Section 1.02 requires … salary and wage adjustments of Executive Branch employees to be approved by the Assembly.
>
> Sections 1.09 and 1.10 allow for some flexibility in budget revisions, but even they make exceptions for salary and wages of Executive Branch employees.

After the Chief Executive's veto, Band Assembly responded via letter on April 25, 2024 that the section requiring Band Assembly approval for salary and wage adjustments "is related to economic pressures and the lack of an updated compendium or salary schedule for Band employees. We believe the Assembly can provide helpful checks and balances until those conditions are resolved." Subsequent compromise discussions failed to yield mutually acceptable language, resulting in the Chief Executive's request for a legal opinion.

I conclude that Act 19-24 does not exceed Band Assembly's authority or violate the Band's separation of powers because limitation of Executive Branch salary expenditures to an established budget narrative is a valid exercise of the Legislative Branch's appropriations power. The Legislative Branch's power to appropriate Band revenue, and its duty to keep all such monies in the Band treasury until lawfully disbursed by formal appropriation, means that the Executive Branch may not expend funds beyond what the Legislative Branch has approved. Thus, the limitations contained in Act 19-24, if enacted into law, would not encroach on the Executive Branch's authority.

1. **Act 19-24 Does Not Exceed Band Assembly's Authority in the Context of the Band's Division of Powers.**

The Legislative Branch has the exclusive authority to appropriate Band revenue. 3 MLBS § 3(b). The Executive Branch has exclusive authority to prepare biennial budget requests for all executive functions and submit the same to Band Assembly for appropriation. 4 MLBS § 3(d). Executive officers within the Executive Branch have authority to authorize the expenditure of all appropriated funds within their subject matter jurisdiction. 4 MLBS § 7(c). The executive branch's "discretion to spend appropriated funds is cabined only by the text of the appropriation, not by [the legislature's] expectations of how the funds will be spent . . . ." *Salazar v. Ramah Navajo Chapter*, 567 U.S. 182, 200 (2012) (internal quotation marks omitted). When examining Executive compliance with appropriation laws, "legislative intention, without more, is not legislation." *Train*

v. City of New York, 420 U.S. 35, 45 (1975). The issue "is not how [the legislature] expected or intended the [executive] to behave, but how it required [the executive] to behave, through the only means by which it can (as far as the courts are concerned, at least) require anything -- the enactment of legislation." *Int'l Union, UAW v. Donovan*, 746 F.2d 855, 860-61 (D.C. Cir. 1984). Thus, the focus "must be upon the text of the appropriation." *Id.* If the legislature "does not intend to permit agency flexibility, but intends to impose a legally binding restriction on an agency's use of funds, it does so by means of explicit statutory language." *Id.* at 861 (quoting *LTV Aerospace Corp.*, B-183851, Oct. 1, 1975, 55 Comp. Gen. 307, 318, 75-2 CPD para. 203).

[redacted]

[redacted]	Act 19-24, Section 1.02
[redacted]	All funds appropriated are maximum fund amounts and shall not be exceeded within any line item unless otherwise permitted by Band law. Funds must be utilized for the purposes for which they were requested, notwithstanding any exceptions provided in this Bill or any other active Band law. No expenditure that causes a budget line item to be exceeded may be paid without further Band Assembly action, except that the Office of Management and Budget leadership is authorized to exercise reasonable discretion regarding line-item budget overages such as to avoid unintended outcomes that would result in an adverse impact to the Band. Examples include, but are not limited to: paying a utility bill to avoid discontinuance of service/utility shut-offs; paying on an invoice to prevent incurrence of late payment charges; and, authorizing expenditures for emergency situations such as a broken water main or heating unit. Salary and wages are only permitted to be expended for the

[redacted]	Position Titles listed in the budget (Exhibit A), at the corresponding hourly rates or below, unless approved through the Payroll Budget Revision process.

The final sentence of Section 1.02 reads that salary and wages are only permitted to be expended for the Position Titles listed in the budget, at the corresponding hourly rates or below, unless approved through the Payroll Budget Revision (PBR) process. The plain language of this provision prohibits the Executive Branch from increasing salaries and wages above the rates listed in the submitted budget without going through the PBR process, which culminates with Band Assembly review of the budget change and approval via bill.[1] [redacted] the final sentence of Act 19-24's Section 1.02 is plainly a limitation on the spending authority exercised by the Executive Branch. Thus, the question is whether such a limitation violates the Band's separation of powers.

2 MLBS § 3 provides that Band government authority shall be balanced by dividing such authorities so that no one person or governmental entity shall have absolute power. This is the codification of the Band's separation of powers. With regards to division of power over fiscal matters, the Executive Branch is responsible for preparing the biennial budget, and spending appropriated funds, while the Legislative Branch is responsible for appropriating Band revenue and ensuring that monies do not leave the Band treasury without lawful appropriation. Under 3 MLBS § 3(b), Band Assembly has the power to appropriate all Band revenue regardless of source. The Secretary-Treasurer has the power to superintend and manage all fiscal operations, planning and budgeting of the Band as authorized by Band Assembly. 3 MLBS § 8(a). The Secretary-Treasurer has the duty to keep all monies paid into the Band treasury until lawfully disbursed by formal appropriation. *Id.* § 8(c). Under 4 MLBS § 3, the Executive Branch has the authority to faithfully execute Band laws, and to prepare biennial budget requests for all executive functions and submit the same to Band Assembly for appropriation. Under 4 MLBS § 7(c), executive officers

[1] The "Payroll Budget Revision Form Aug 2023" Excel spreadsheet. The "Instructions" section of the spreadsheet states: "The Payroll Budget Revision Form must be approved by Band Assembly and the Chief Executive, which is achieved by the Payroll Budget Revision being referenced in a bill. Personal information is treated in a confidential manner. No names or job titles are listed in the bill. Only the fund number, department number, and dollar amount are listed."

within the Executive Branch have authority to authorize the expenditure of all appropriated funds within their subject matter jurisdiction.

There is a lack of Band law interpreting the legal consequences of the Band's separation of powers. By analogy, Federal law interpreting the United States' separation of powers may be helpful given the similarities between the two government's separation of fiscal powers. Like the Band, the Federal government's separation of powers includes vesting appropriation power in the legislative branch (i.e. Congress) under Article I, § 9 clause 7 of the U.S. Constitution. ("No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.") As a result, the Appropriations Clause has been viewed as a critical aspect of the separation of federal powers:

> The Appropriations Clause thus embodies the Framers' objectives of maintaining "the necessary partition among the several departments," *The Federalist No. 51* (J. Madison), and ensuring transparency and accountability between the people and their government. The clause's role as "a bulwark of the Constitution's separation of powers" has been repeatedly affirmed. *U.S. Dep't of Navy v. Fed. Lab. Rels. Auth.*, 665 F.3d 1339, 1347 (D.C. Cir. 2012) (Kavanaugh, J.); *see id.* ("The Appropriations Clause prevents Executive Branch officers from even inadvertently obligating the Government to pay money without statutory authority.") (citations omitted); *see also*, *e.g.*, *Sierra Club v. Trump*, 929 F.3d 670, 704 (9th Cir. 2019) ("The Appropriations Clause is a vital instrument of separation of powers ...."); *City of Chicago v. Sessions*, 888 F.3d 272, 277 (7th Cir. 2018) (discussing the power of the purse as an important aspect of the separation of powers created by "[t]he founders of our country"); *United States v. McIntosh*, 833 F.3d 1163, 1175 (9th Cir. 2016) ("The Appropriations Clause plays a critical role in the Constitution's separation of powers among the three branches of government and the checks and balances between them.").

Cmty. Fin. Servs. Ass'n of Am., Ltd. v. Consumer Fin. Prot. Bureau, 51 F.4th 616, 637 (5th Cir. 2022), *cert. granted*, 143 S. Ct. 978, 215 L. Ed. 2d 104 (2023), and *cert. denied sub nom. Cmty. Fin. Servs. Ass'n of Am. v. Consumer Fin. Prot. Bureau*, 143 S. Ct. 981, 215 L. Ed. 2d 106 (2023). Federal statutes reinforce Congress's control over appropriated funds, including the "Purpose Statute," which provides that appropriated funds may be applied only "to the objects for which the appropriations were made," 31 U.S.C. § 1301(a), and the Anti-Deficiency Act, which makes it unlawful for government officials to "make or authorize an expenditure or obligation exceeding an amount available in an appropriation" or to involve the Federal Government "in a contract or obligation for the payment of money before an appropriation is made unless authorized by law." 31 U.S.C. § 1341(a)(1)(A)-(B).

Because of this, Congressional use of appropriations power to limit executive branch spending authority does not violate the separation of powers, but operates as a vital part of the system of checks and balances inherent in the separation of powers. "Any exercise of a power granted by the Constitution to one of the other branches of Government is limited by a valid reservation of congressional control over funds in the Treasury." *Off. of Pers. Mgmt. v. Richmond*, 496 U.S. 414, 425 (1990); *see also Knote v. United States*, 95 U.S. 149, 154 (1877) ("However large, therefore, may be the power of . . . the President, and however extended may be its application, there is this limit to it, as there is to all his powers,—it cannot touch moneys in the treasury of the United States, except expressly authorized by act of Congress.")

Under Band law, the Legislative Branch appropriates all Band revenue via appropriations acts, which are required to lawfully disburse monies from the Band treasury. 3 MLBS § 3(b); 3 MLBS § 8(c) (Secretary-Treasurer, as part of the Legislative Branch, must ensure that money is not paid out of the Band treasury "until lawfully disbursed by formal appropriation.") 3 MLBS § 17(f) (appropriations bills, like any bill, become law upon passage and presentment without veto). This places the "power of the purse" in the Legislative Branch, which may use this power as a check on Executive spending power. Thus, legislation that limits Executive Branch spending authority to amounts set forth in a budget narrative incorporated into an appropriations bill, provided it has been passed by Band Assembly and not vetoed by the Chief Executive, is a valid exercise of the Legislative Branch's "power of the purse." Therefore, it does not intrude upon the Executive Branch's authority.

2. Act 19-24 Does Not Exceed Band Assembly's Authority in the Context of the Ability of Commissioners to Manage Their Respective Departments.

Under 4 MLBS § 7(c), executive officers within the Executive Branch have authority to authorize the expenditure of all appropriated funds within their subject matter jurisdiction. However, executive officers also have the duty to faithfully execute Band law. *Id.* § 7(a). As discussed above, Band Assembly's appropriations power includes the power to legislatively place limits on Executive Branch spending. Expenditure of funds in violation of a limit set in an appropriations act would not be within the lawful scope of a Commissioner's authority. Because Act 19-24 states that salaries and wages cannot be raised above the levels in the biennial budget narrative without going through the PBR, and the PBR culminates in Band Assembly deciding whether to pass an additional appropriation bill to pay for such raises, the funding for the raises cannot be considered appropriated by Act 19-24.

4 MLBS § 10 sets forth the Commissioner of Administration's powers and duties. They include the power to sign by authorization all vouchers and expenditures of appropriated funds of the Executive Branch pursuant to provisions of Band statute (§ 10(c)), and to be responsible for the preparation of the Executive Branch's biennial budget and its submission to Band Assembly (§ 10(e)). Thus, as stated above, the Commissioner of Administrations cannot lawfully authorize expenditure of funds that have not been appropriated.

Act 19-24 does not say that executive officers may never, in the management of their respective departments, raise salaries. Instead, it provides that executive officers wishing to do so must ultimately seek additional appropriations from Band Assembly to pay for those raises. Thus, the Act does not intrude upon Executive Branch authority since it is a valid exercise of Band Assembly's appropriation power.

3. **Act 19-24 Does Not Exceed Band Assembly's Authority in the Context of the Prohibition Against District Representatives Exercising Authority Properly Belonging to Commissioners.**

3 MLBS § 9(b) is best interpreted as limiting the authority of District Representatives as individuals, because section 9(a) lists the "individual authority" of District Representatives in exercising legislative power. Section 1.02 of Act 19-24 does not vest authority over salary and wage increases in any individual District Representative but instead requires increases to go through the Payroll Budget Revision process. Because the PBR process culminates in a legislative process whereby Band Assembly as a legislative body considers and then votes on whether to approve the increase and appropriate the necessary funds, it does not involve the exercise of individual District Representative authority under 3 MLBS § 9. Thus, nothing in Act 19-24 involves individual District Representatives exercising authority other than their collective legislative authority as Band Assembly.

Based upon the foregoing, I conclude Act 19-24 does not exceed Band Assembly's authority in the context of the division of powers, the ability of Commissioners to manage their departments and the prohibition against District Representatives exercising authority properly belonging to Commissioners.

Caleb Dogeagle
Solicitor General

May 7, 2024
Date of Issuance

As to form and numbering according to MLBS Title 25 § 4(f);

Hanna Valento — May 7, 2024

Hanna Valento
Revisor of Statutes

Date

Mille Lacs Band of Ojibwe Indians

Legislative Branch of Tribal Government

TRANSMITTAL VIA E-MAIL

20 May 2024

Caleb Dogeagle
Solicitor General
43408 Oodena Drive
Onamia, MN 56359

Re: Annulment in part of Solicitor General Opinion 48-24

Dear Solicitor General Dogeagle:

Having carefully considered the ramifications of Solicitor General Opinion No. 48-24 ("the Opinion"), we have concluded that we must in part annul and amend the Opinion.

Out of a desire to ensure that the public and the government have a clear understanding of which portions of the Opinion were annulled, this letter and the attached document are intended to supplement the formal record of the exact portions of the Opinion that were annulled and will be posted on the Tribal Register alongside the Opinion. The annulled and amended portions of Opinion 48-24 are all portions that mention or opine on Act 59-22, the Fiscal Year 2022-23 Biennial Budget legislation.

While we are not required by statute to provide any explanation if an opinion is annulled, we wish to do so out of respect for your hard work and the thoughtful discussion about the Opinion at last week's hearing on the matter.

While we agree with the bottom-line conclusion of the Opinion that, "Act 19-24 does not exceed Band Assembly's authority in the context of the division of powers, the ability of Commissioners to manage their departments and the prohibition against District Representatives exercising authority properly belonging to Commissioners," we reject the legal reasoning and discussion in the Opinion to the extent they reiterate factual or legal conclusions you reached in annulled Solicitor Opinion 47-22, which focused on Act 59-22. We appreciate your assurance at last Wednesday's hearing that Opinion 47-22 remains annulled, and that your discussion of Act 59-22 in your latest Opinion was merely a historical recitation. However, so that everyone is clear that Opinion 48-24 does not resurrect the factual or legal conclusions you reached in Opinion 47-22 as a matter of law, we hereby annul and amend all portions of Solicitor Opinion 48-24 that mention or opine on Act 59-22.

Miigwech.

Sincerely,

Virgil Wind, District I Representative

Wendy Merrill, District II Representative

Harry Davis, District III Representative

CC: Melanie Benjamin, Chief Executive
Mel Towle, Commissioner of Finance
Rebecca St. George, Legal and Policy Counsel, Office of the Chief Executive
Hanna Valento, Revisor of Statutes
Jared Miller, Legislative Counsel

Chapter 8 – Department Policies
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WELCOME AND INTRODUCTION

Welcome New Employee!

On behalf of the Mille Lacs Band of Ojibwe, I welcome you as a new employee and wish you every success during your employment with us. The Mille Lacs Band believes that each employee contributes directly to the Band's growth and success, and we hope you will take pride in being a member of our team.

This policy and procedures manual describes the expectations of a Mille Lacs Band employee and outlines the policies, programs and benefits available to eligible employees. Employees should familiarize themselves with the contents of the policy and procedures manual as soon as possible, for it will answer many questions about employment with the Mille Lacs Band of Ojibwe.

We hope that your experience here will be challenging, enjoyable and rewarding. Again, welcome!

Sincerely,

Introductory Statement

Section 1. This policy and procedures manual or handbook is designed to acquaint you with the Mille Lacs Band of Ojibwe and provide you with information about working conditions, employee benefits and some of the policies affecting your employment. You should read, understand and comply with all provisions of the handbook. It describes many of your responsibilities as an employee or supervisor and outlines the programs developed by the Mille Lacs Band to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth. No policy and procedures handbook can anticipate every circumstance or question about policy. As the Mille Lacs Band continues to grow, the Mille Lacs Band of Ojibwe reserves the right to revise, supplement or rescind any policies or portion of this handbook as it deems appropriate, in compliance with 6 MLBSA § 1. Employees will be notified of such changes to the handbook as soon as it is feasible.

Section 2. The Mille Lacs Band of Ojibwe Personnel Policy and Procedures Manual applies to all Mille Lacs Band employees except the following are specifically exempt:

(1) Chief Executive;

(2) Secretary-Treasurer/Speaker of the Assembly;

(3) District Representatives;

(4) Elected members of the Nay Ah Shing School Board when acting in their official capacity;

(5) Employees of the Corporate Commission and its subsidiaries;

(6) Employees of the Gaming Regulatory Authority;

(7) Employees of the MLBO Police Department, except the administrative staff working within this department are <u>not</u> exempt;

(8) Department of Natural Resources (DNR) enforcement staff when he/she is assisting the MLBO Police Department; and

(9) Employees hired under contract for a particular purpose.

Section 3. Appointed officials of the Band are subject to all provisions in the MLBO Personnel Policy and Procedures Manual except to the extent those provisions conflict with other applicable provisions of Band law.

Section 4. According to 9 MLBSA sec. 6, elected Nay Ah Shing School Board Members are subject to removal from office as determined by 3 MLBSA sec. 25.

Effective date: March 6, 2014

Mission Statement

We, the Mille Lacs Band of Ojibwe, shall safe-guard the future and security of our children, respect the traditional teachings and cultural values of our elders, promote the spiritual, physical, social and mental well-being of our Communities, and protect, develop and enhance our natural resources and educational and economic opportunities by exercising and protecting our inherent sovereign and treaty-guaranteed rights as a unified, self-sufficient, self-governing nation.

Organization Description

Organizational Structure: As a sovereign nation, the Mille Lacs Band of Ojibwe has the authority and responsibility to govern its people and land. To ensure it makes the best possible decisions, the Mille Lacs Band of Ojibwe has developed a tribal government based on a separation of powers composed of the Executive, Legislative and Judicial Branches.

The *Executive Branch* is under the authority of the Chief Executive of the Band. The Chief Executive has the authority to exercise the executive powers of Band government. 3 MLBSA § 6. There are also executive officers who assist the Chief Executive who are delegated with certain authority in a specific subject area. The executive officers are the Commissioner of Administration, Assistant Commissioner of Administration, Commissioner of Natural Resources, Commissioner of Education, Commissioner of Corporate Affairs, the Commissioner of Health & Human Services, and the Commissioner of Community Development.

One of the most important duties of the Executive Branch of government is the running of the program services available to Mille Lacs Band of Ojibwe members. This branch of government is also responsible for executing the laws of the Band.

The Office of the Solicitor General, and the Tribal Police Department are located within the Department of Justice ("DOJ"). The DOJ is located within the Executive Branch of government. 24 MLBSA § 1051.

The *Legislative Branch* is composed of the Secretary-Treasurer and three District Representatives. These four elected officials form the body known as the Band Assembly, with the Secretary-Treasurer serving as the Speaker of the Assembly. Besides the elected officials, the Legislative Branch includes a Parliamentarian who also acts as Clerk of the Band Assembly; a Legislative attorney and Legislative staff. This branch also includes the Office of Management and Budget, headed by the Commissioner of Finance. This branch of government is responsible for creating the laws and maintaining the financial integrity of the Band.

The *Judicial Branch* is composed of one District Court Judge who is nominated by the Chief Executive and confirmed by the Band Assembly. The Court of Appeals is composed of one Chief Justice and two Associate Justices; these three judges each represent one of the Band districts. All judges serve a term of six years. The justices are assisted by a Court Administrator, Court Clerk, Bailiff, staff attorney and other judicial staff.

The History of Mille Lacs Band of Ojibwe Indians

The Mille Lacs Band of Ojibwe is a sovereign Indian nation and has been recognized as such by the United States in treaties, statutes, agreements and executive and judicial actions since at least 1825. The Mille Lacs Band of Ojibwe community remains strong in its culture, language and tribal traditions.

Employee Acknowledgement Form

The MLBO Personnel Policy and Procedures manual describes important information about employment with the Mille Lacs Band of Ojibwe. I understand that I should consult the Human Resources Department regarding any questions not answered in the manual. I have entered into my employment relationship with the Mille Lacs Band voluntarily and acknowledge that I have not been guaranteed or promised a specified length of employment.

Since the information, policies and benefits described herein are necessarily subject to change, I acknowledge that revisions to the manual may occur. I understand that revisions may supersede, modify or eliminate existing policies.

The Adoption and Amendment of the Mille Lacs Band Personnel Policy and Procedures Manual is codified in Mille Lacs Band Statutes Annotated (MLBSA) at Title 6 §1. The Mille Lacs Band of Ojibwe has the statutory duty to amend the policies in this manual as needed. Such amendments are approved upon enactment by Band Assembly prior to implementation. The enactment may specify an effective date of any or all such amendments.

Furthermore, I acknowledge that this manual is not a contract. I have received the manual, and I understand that it is my responsibility to read and comply with the policies contained in this manual and any revisions made to it. I understand that each manual is the property of the Mille Lacs Band of Ojibwe and I agree to return the manual upon the conclusion of my employment.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

EQUAL EMPLOYMENT OPPORTUNITY

Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Mille Lacs Band of Ojibwe will be based on merit, qualifications and abilities. The Mille Lacs Band does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation or any other characteristic protected by federal or state law, although the Band does provide American Indian preference, as described in the next section of this Manual. The Mille Lacs Band's non-discrimination policies govern all aspects of employment including: selection; job assignment; compensation; discipline; termination; and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace should bring these issues to the attention of their immediate supervisor. If reporting discrimination to the immediate supervisor is not an option, the employee should bring the concern or complaint to the attention of the Human Resources Director immediately. Employees can raise concerns and make reports without fear of retaliation. Anyone found to be engaging in any type of unlawful discrimination or retaliation will be subject to disciplinary action, up to and including termination of employment.

American Indian Preference

The Mille Lac Band of Ojibwe recognizes American Indian preference, but gives its highest preference to Mille Lacs Band Members. This preference applies to employment recruitment, hiring, promotions, training and development.

Assuming that applicants meet the minimum job requirements, American Indian Preference will be given in the following order:

(1) Band members, defined as enrolled members of the Mille Lacs Band of Ojibwe Indians;

(2) Other Indians, defined as enrolled members of any other federally recognized tribe; and

(3) All others.

Disability Accommodation

The Mille Lacs Band of Ojibwe is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. Reasonable accommodation is available for all qualified disabled employees if such reasonable accommodation would enable the employee to perform the essential functions of the position and not create an undue hardship for the Mille Lacs Band.

Immigration Law Compliance

The Mille Lacs Band of Ojibwe is committed to the employment of United States citizens and aliens who are authorized to work in the United States. The Mille Lacs Band does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Federal Immigration law, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form (I-9) and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Mille Lacs Band within the past three (3) years or if their previous I-9 is no longer retained or valid.

EMPLOYMENT CLASSIFICATIONS

It is the intent of the Mille Lacs Band of Ojibwe (MLBO) to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

Each employee is designated as either NONEXEMPT or EXEMPT from federal wage and hour laws. NONEXEMPT employees are entitled to overtime pay of one-and-one-half the employee's regular rate of pay for all hours worked over forty (40) hours within the work week. EXEMPT employees are excluded from specific provisions of federal wage and hour laws, including overtime pay. Please see Human Resources if you have questions about your exempt or nonexempt status.

In addition to the above categories, each employee will belong to one other employment category as follows:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory (probationary) status and who are regularly scheduled to work the MLBO full-time schedule of forty (40) hours per week. However, employees working thirty-two (32) hours or more and having written consent by the department head are considered regular full-time employees and are eligible for the MLBO benefit package, subject to the terms, conditions and limitations of each benefit program.

PART-TIME employees are those who are not in a temporary or introductory (probationary) status and who are regularly scheduled to work less than thirty-two (32) hours per week. These employees receive all legally mandated benefits (e.g. Social Security, Workers' Compensation and Unemployment Insurance), but they are ineligible for all other MLBO benefit programs.

PROBATIONARY (or introductory) employees are those whose performance is being evaluated during the probationary period to determine whether further employment in a specific position or with the MLBO government is appropriate. The probationary period, during which time performance is being evaluated, is generally 90 calendar days. However, the probationary period can, at the Band's discretion and based on performance concerns, be extended up to one year. During the probationary period, either the probationary employee or the Mille Lacs Band may terminate the employment relationship at will, with or without cause and with or without advance notice. Accordingly, the sections in this Manual regarding just cause and termination procedures do not apply to a probationary employee. <u>However</u>, a regular full-time employee who accepts a transfer, promotion or non-disciplinary demotion <u>cannot</u> be terminated at-will during a subsequent probationary period associated with the new employment position.

TEMPORARY employees are those who are hired to temporarily supplement the work force or to assist in the completion of a specific project. Temporary employees retain said status until notified of a change. While temporary employees receive all legally

mandated benefits (e.g. Social Security, Workers' Compensation and Unemployment Insurance), they are ineligible for all other MLBO benefit programs. It is not the intention of this policy to allow the temporary hire of an individual for more than four (4) months.

ON-CALL employees are those who have established an employment relationship with the MLBO, but who are assigned to work on an intermittent or irregular basis. While they are able to earn credit for Social Security, they are ineligible for Unemployment Insurance and other MLBO benefit programs.

Temporary/On-Call employees are subject to the Mille Lacs Band of Ojibwe pre-employment Alcohol & Drug testing policy and background check requirements.

BUSINESS ETHICS

Business Ethics and Conduct

The Mille Lacs Band's reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

All employees owe a duty to the Mille Lacs Band, Band members and other employees to act in a way that will merit the continued trust and confidence of the public.

The Mille Lacs Band will comply with all applicable laws and regulations and expects its Commissioners, Directors, Officers and employees to conduct business in accordance with the letter, spirit and intent of all relevant laws and to refrain from any illegal, dishonest or unethical conduct.

In general, use of good judgment, based on high ethical principles, will guide you in regard to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with Human Resources for advice, consultation and/or mediation.

Compliance with this policy of business ethics and conduct is the responsibility of every Mille Lacs Band employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

Hiring of Relatives

Because the employment of family members in the same area of an organization could lead to conflicts in the workplace, family members of persons currently employed by the Mille Lacs Band may be hired only if:

They will not be working directly for or supervising a family member; and

They will not be working directly above the family member's immediate superior or directly for the family member's immediate subordinate.

Mille Lacs Band employees should not be transferred into a direct reporting relationship with family members absent special circumstances. If the family relationship between direct reports is established after employment, the individuals concerned will mutually recommend, subject to Band approval, which person is to be transferred. If the parties cannot agree upon the transfer, or the Band cannot accommodate the parties' decision for any reason, the Band will have the authority to make any personnel decisions to avoid the direct reporting relationship of family members. If it is not possible to transfer either party to an available position, the Band has the right to terminate one of the parties without following the progressive discipline policy in this Manual. For the purposes of this paragraph, "Band" shall be defined as the Commissioner or Elected Official responsible for oversight of the conflicted employees.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, either party may be separated by reassignment.

See 6 MLBSA § 1157(g).

For the purposes of this policy, family member means a spouse, biological or adopted child, members of the same household, or the mother, father, sister, or brother of the employee.

Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest or the appearance of a conflict. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Mille Lacs Band's business dealings. For the purposes of this policy, a relative or family member is defined as the employee's spouse, biological or adopted child, members of the same household, or the mother, father, sister, or brother of the employee.

Transactions with outside firms must be conducted according to the Band's Procurement Law. See 7 MLBSA §§ 1-36. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm that the Mille Lacs Band does business with, but also when an employee or relative receives any kickback, bribe, gift or special consideration as a result of any transaction or business dealings involving the Mille Lacs Band.

Any questions about possible conflicts of interest should be immediately directed to Human Resources or to the Office of the Solicitor General.

Outside Employment

Employees may hold outside jobs as long as the employees meet the scheduling demands and performance standards of their job with the Mille Lacs Band and the outside employment does not create a potential or actual conflict of interest. However, an employee may not hold two (2) full-time jobs with the Mille Lacs Band, including any entity of the Mille Lacs Band. Part-time employment or service on a Board while employed full-time with the Mille Lacs Band government is permissible.

If the Mille Lacs Band determines that an employee's outside work interferes with the ability to meet the requirements of the position with the Mille Lacs Band, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with the Mille Lacs Band.

Official Employee Address and Legal Notice

All employees are solely responsible for maintaining their current mailing address with Human Resources upon approved forms. An employee must update his or her mailing address within five (5) calendar days of any permanent change. The Band shall adopt a version of the traditional mailbox rule. The Band shall presume receipt of official documents sent by regular mail to an employee's recorded mailing address.

The calculation of all timeframes within this manual that permit the mailing of a written notice shall begin one (1) calendar day after mailing, which shall presumptively correspond with the date of the most recent signature appearing on the notice. An employee may only rebut this presumption by presenting the envelope that contained the actual notice, clearly bearing a different postmark. In the latter instance, the calculation of the timeframe shall begin one (1) calendar day after the date of the postmark.

If the employer provides written notice by personal delivery, then the calculation of the associated timeframe shall begin on the day of receipt of personal service.

Truthfulness in Employment Application

The Mille Lacs Band of Ojibwe relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or if the person has been hired, termination of employment.

Business Travel Expenses

The Mille Lacs Band will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the immediate supervisor and the department head.

Employees whose travel plans have been approved should make all travel arrangements through the Mille Lacs Band's Travel Clerk, or through the individual within their respective department designated to handle this responsibility.

When approved, the actual costs of travel, including non-discriminatory state taxes, meals, lodging and other expenses directly related to accomplishing business travel objectives will be reimbursed by the Mille Lacs Band according to the Federal regulations for reimbursement provided that the employee submits travel reports and accompanying receipts within seven (7) business days. Employees are expected to limit expenses to reasonable amounts.

Expenses that generally will be reimbursed include the following:

- Airfare or train fare for travel in coach or economy class or the lowest available fare, including the cost of one checked bag per flight weighing under 50 lbs.
- Car rental fees, only for compact or mid-sized cars when necessary.
- Fares for shuttle, airport bus service, taxi fares, where available; cost of public transportation for other ground travel.
- Mileage costs for use of personal cars, only when less expensive transportation is not available subject to pre-approval by Department Commissioner. All drivers must have a valid driver's license. Further, any driver whose license privilege is suspended or revoked is not eligible for reimbursement of mileage from the date of suspension or revocation.
- If employees are carpooling to the same training, only one employee may submit for mileage cost reimbursement.
- Cost of standard accommodations in low to mid-priced hotels, motels, or similar lodgings based on the federal per diem rate, unless otherwise approved.
- Cost of meals, according to the federal per diem rate.
- Tips not exceeding 18% of the total cost of a meal or 10% of a taxi fare.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased or rented by the Mille Lacs Band may not be used for personal use without prior approval.

Per diem advances are issued to cover reasonable anticipated expenses after travel has been approved and proper forms are completed.

With prior approval, employees on business travel may be accompanied by a family member or friend, when the presence of a companion will not interfere with successful

completion of business objectives. The cost of travel and related expenses for a travel companion shall not be paid for by the Mille Lacs Band. Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

Abuse of this business travel expense policy, including falsifying expense reports to reflect costs not incurred by the employee or not proper for reimbursement, is grounds for disciplinary action, up to and including termination of employment. Expenses owed to the Band must be immediately repaid by the employee.

Use of Phone and Mail Systems

Personal use of office telephones for outgoing long distance calls is not permitted except for emergency purposes. Employees may be required to reimburse the Mille Lacs Band for any charges resulting from their personal use of the office telephone.

The use of Mille Lacs Band stationery and paid postage for personal correspondence is not permitted.

CELL PHONE SAFETY

Cell phones may not be used for personal or business use while driving a Band owned vehicle. This ban on use while driving includes receiving or placing calls, text messaging, surfing the internet, receiving or responding to email, checking for receipt of messages or any other unsafe use of cell phones while driving.

If you are driving a Band owned vehicle on company business, you are required to stop in a safe location before proceeding to use any cell phone.

This ban on the unsafe use of cell phones includes any personal cell phone while driving a Band owned vehicle and any government supplied cell phone while on company business and driving your personal vehicle.

Employees who violate this policy against unsafe cell phone use will be subject to disciplinary action.

The Band's DNR Conservation Officers are exempt from this cell phone safety rule if they are using a cell phone for work related to his or her duties as a conservation officer.

Computer and E-mail Usage

Computers, computer files, the e-mail system, and software furnished to employees are Mille Lacs Band property intended for business use. Employees should not use a password, access a file or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage may be monitored and employees should have no expectation of privacy.

The Mille Lacs Band strives to maintain a workplace free of harassment and one that is sensitive to the diversity of its employees. Therefore, the Mille Lacs Band prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others or harmful to morale. For example, the display or transmission of sexually explicit images, messages and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, distasteful jokes or anything that could be construed as harassment or showing disrespect for others.

E-mail may not be used to solicit others for commercial ventures, chain letters, religious or political causes, outside organizations, terroristic threats or other non-business matters.

The Mille Lacs Band purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the Mille Lacs Band does not have the right to reproduce such software for use on more than one computer. The Mille Lacs Band prohibits the duplication of software and its related documentation. The unauthorized installation of software on the computers and laptops owned by the Mille Lacs Band is also prohibited.

Employees should notify their immediate supervisor, Information Systems, Human Resources or any member of management of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Internet Usage

Internet access is provided by the Mille Lacs Band of Ojibwe to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive internet usage. While internet usage is intended for job-related activities, limited personal use may be permitted with prior authorization.

All internet data that is composed, transmitted or received via our computer communications systems is considered to be part of the official records of the Mille Lacs Band and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in internet e-mail messages and other transmissions is accurate, appropriate, ethical, lawful, and in the best interests of the Mille Lacs Band.

The equipment, services and technology provided to access the internet remain at all times the property of the Mille Lacs Band. As such, the Mille Lacs Band reserves the right to monitor internet traffic and retrieve and read any data composed, sent or received through the online connections and stored in computer systems.

Data that is composed, transmitted, accessed or received via the internet must not contain content that could be considered terroristic, discriminatory, offensive, obscene, threatening, harassing, intimidating or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked or patented material on the internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it or has not gotten authorization for its use, it should not be put on the internet. Employees are also responsible for ensuring that the person sending any material over the internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the internet access provided by the Mille Lacs Band in violation of law or the Mille Lacs Band policies will result in disciplinary action, up to and including termination of employment.

Workplace Monitoring

Workplace monitoring, including video surveillance, may be conducted by the Mille Lacs Band to identify safety concerns, maintain quality control, detect theft and misconduct and discourage or prevent acts of harassment and workplace violence.

A supervisor can request access to information gathered through workplace monitoring only in situations where it is necessary to make a factual determination in an employment action and there is a dispute about the facts that might be resolved by reviewing the workplace monitoring. Access will be granted unless there is an ongoing investigation or another legitimate business reason to protect confidentiality.

Every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

Automobile Usage and Maintenance

Vehicles which are essential in accomplishing job duties are expensive and may be difficult to replace. When using Band vehicles, employees are expected to exercise care, and follow all operating instructions, safety standards and guidelines. In addition, employees will normally use their own car for Band business in accordance with the guidelines below.

Every employee who drives a personal or Band vehicle on Band business must possess a valid Minnesota driver's license and, where applicable, maintain the minimum amount of insurance required by law. Each employee is personally responsible for any fine incurred as a result of driving or parking violations. In addition, no employee is permitted under any circumstance to operate a Band vehicle or a personal vehicle for Band business when a physical or mental impairment causes the employee to be unable to drive safely. The prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness, medication or intoxication.

Employees are not permitted to use Band vehicles for non-business purposes.

Time spent by an employee in driving a Band or personal automobile on Band business during normal working hours is to be considered hours worked for pay purposes.

Employees who drive a vehicle while on Band business are required to use a seat belt and shoulder harness. This also applies to passengers riding in the same vehicles. It is the employee's responsibility to ensure that seat belts and shoulder harnesses are utilized.

Smoking is not permitted in any Band owned vehicle.

Personal Vehicle Use:

Employees who use their personal car for Band purposes will receive a mileage allowance, as prescribed in the Office of Management and Budget (OMB) travel policies, for such usage. This allowance covers the cost of gasoline, oil, depreciation and insurance.

Employees must receive prior approval from Department Supervisor to use their personal vehicle for Band Business. Damages occurring as a result of an accident are the responsibility of the employee and must be submitted to the owner's auto insurance.

Claims for mileage allowance and reimbursement must be approved by the employee's department head and submitted to the Office of Management and Budget for payment. Mileage reimbursement is subject to the policies of the Office of Management and Budget.

Maintenance:

Employees using Band vehicles are responsible for proper maintenance and must report any malfunctions or maintenance requirements to the supervisor.

Accident Reporting – General Rule:

Employees must report to their supervisor any accidents, regardless of the extent of damage or lack of injuries, involving Band vehicles or a personal vehicle used on Band business. Such reports must be made as soon as possible, but no later than the next business day after the accident. The employee's supervisor must report such incident on the next business day to Human Resources and to the Commissioner of Finance, if a Band vehicle is involved.

Accident reporting and investigating are key components to the safety and health of the Mille Lacs Band employees. Accidents or injuries must be reported to your supervisor as soon as possible, but no later than the next business day after the incident. Unreported accidents, injuries or leaving the scene of an accident will not be tolerated and may result in disciplinary action.

Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, the Mille Lacs Band expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

All employees are expected to conduct themselves and behave in a manner which is conducive to the efficient operation of the Band and to comply with all Band policies.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. Examples of infractions of rules of conduct that may result in disciplinary action include, but are not limited to, the following:

* Theft or inappropriate removal or possession of property;
* Falsification of timekeeping records;
* Working under the influence of alcohol or illegal drugs;
* Possession, distribution, sale, transfer or use of alcohol or illegal drugs in the work place, while on duty or while operating employer-owned vehicles or equipment;
* Fighting, intimidating or threatening violence in the workplace aimed at Band officials, supervisors, employees, clients or visitors;
* Boisterous or disruptive activity in the workplace;
* Negligence or improper conduct leading to damage of employer-owned or employee-owned property;
* Insubordination or other disrespectful conduct;
* Violation of safety or health rules;
* Smoking in prohibited areas;
* Sexual or other unlawful or unwelcome harassment;
* Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace;
* Excessive absenteeism or any absence without notice;
* Unauthorized absence from work station during the workday;
* Unauthorized use of telephones, mail system, or other employer-owned equipment;
* Unauthorized disclosure of business “secrets” or confidential financial information;
* Violation of personnel policies; or
* Unsatisfactory performance or conduct.

The grounds for termination as well as the termination procedure and review process are set forth in these personnel policies.

Recycling

The Mille Lacs Band of Ojibwe supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at the Mille Lacs Band offices:

* computer paper
* white high grade or bond paper
* ledger paper
* mixed or colored paper
* newspaper
* corrugated cardboard
* brown paper bags
* aluminum cans
* plastic bottles

Employees are encouraged to make a commitment to recycle and to be a part of this solution.

Unauthorized Solicitation

In an effort to ensure a productive and harmonious work environment, persons not employed by the Mille Lacs Band may not solicit or distribute literature in the workplace at any time unless prior authorization from the Chief Executive and/or Commissioner of Administration is received.

In addition, employees may not use the internet or the Band's intranet to promote, solicit or distribute information without the express written consent of his or her supervisor or the Information System Director.

NONDISCLOSURE OF CONFIDENTIAL INFORMATION

The protection of confidential business information and trade secrets is vital to the interests and the success of the Mille Lacs Band of Ojibwe. During your employment with the Mille Lacs Band, you may periodically learn sensitive information regarding the tribal government or regarding its employees. It is imperative that all non-public information be kept confidential not only for the health of the Mille Lacs Band, but also for the well-being of employees who depend on the Band for their livelihood. Such confidential information includes, but is not limited to, the following examples:

* confidential Executive, Legislative and Judicial data and information, including but not limited to privileged attorney-client communications;
* personnel information and data;
* compensation data;
* computer processes;
* computer programs and codes;
* confidential financial information;
* labor relations strategies;
* marketing strategies;
* pending projects and proposals;
* research and development strategies;
* confidential scientific data;
* confidential technological data;
* enrollments and blood quantum information; and
* medical or patient data otherwise protected by HIPAA or other applicable data privacy laws.

All employees shall sign a confidentiality or non-disclosure agreement as a condition of employment. Employees who improperly use or disclose trade secrets or confidential government information will be subject to disciplinary action, up to and including termination of employment and possible legal action.

After you leave employment with the Mille Lacs Band, you are still legally prohibited from disclosing sensitive, proprietary, confidential, or trade secret information. If you disclose such information, the Mille Lacs Band of Ojibwe may seek legal remedies.

ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the Mille Lacs Band expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Mille Lacs Band.

In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, the employee must notify his/her supervisor as soon as possible and in advance of the anticipated tardiness or absence. If possible, such notification should include a reason for the absence or tardiness and an indication of when the employee can be expected to report for work. If the supervisor is unavailable, the employee should contact another supervisor and should also contact his/her supervisor's administrative assistant. Failure to notify the supervisor of any absence or delay may lead to disciplinary action.

Employees who are absent from work for three consecutive days without giving proper notice to their supervisor will be considered to have voluntarily resigned their position. The employer is not required to provide notice to an employee of an impending separation of employment due to his/her prolonged absence or to follow any other aspect of the progressive discipline policy. In such an instance, the employee shall be deemed to have forfeited any property interest in employment he or she may have had.

Poor attendance and excessive tardiness are disruptive and may lead to disciplinary action, up to and including termination of employment.

PROFESSIONAL APPEARANCE AND CONDUCT

Personal Appearance and Dress

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the business image that the Mille Lacs Band presents to visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the status of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

Casual dress offers a welcome alternative to the formality of typical business attire. However, not all casual clothing is appropriate for the office. Casual business wear means clean, neat, and professional clothing. It is never appropriate to wear stained, wrinkled, frayed or revealing clothing to the workplace.

Some examples of appropriate casual business wear include the following:

slacks
jeans
dress shorts
casual dresses and skirts
casual shirts and blouses
golf shirts
turtlenecks
sweaters
sweatshirts
loafers
deck shoes
boots
athletic shoes
flats
dress sandals

Examples of <u>inappropriate</u> clothing items that should <u>not</u> be worn include, but are not limited to, the following:

jeans that are excessively worn or faded
sweat pants or jogging suits and pants
short shorts
spandex or other form-fitting pants
miniskirts
spaghetti-strap dresses unless worn under a jacket or sweater

T-shirts or sweatshirts with offensive messages or images
halter tops or tank tops
tops with bare shoulders unless worn under a blouse or jacket
visible undergarments
slippers or flip-flops

For some, traditional business attire may simply remain a more favored option on casual days. The choice will be at the discretion of the supervisor.

Smoking

In keeping with the Mille Lacs Band's intent to provide a safe and healthful work environment, smoking tobacco products or an electronic equivalent in the workplace is prohibited except in those locations that are specifically designated as smoking areas.

To portray a professional atmosphere, employees are prohibited from smoking at or near public entrances to all government buildings. Employees are allowed to smoke in designated smoking areas, or during designated culturally-appropriate events, and in other designated areas as assigned at other Band government buildings.

Smoking is not permitted in any Band owned vehicle. Failure to comply with this policy will result in disciplinary action.

EMPLOYEE BENEFITS

Employee Benefits

Eligible employees of the Mille Lacs Band of Ojibwe are provided a wide range of benefits. A number of the programs (e.g. Social Security, Worker's Compensation, and Unemployment Insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee status as a regular, full-time employee.

The following benefit programs (discussed more fully below), are available to eligible employees:

* Time With Child (3 hours per child per month);
* Community Service (40 hours per year with pay);
* 401(k) Savings Plan; (21 years of age or older including Part-Time Regular employees)
* Auto Mileage (according to federal guidelines);
* Bereavement Leave (3 days for the death of each family member as defined further in the Funeral Leave section, page 52);
* Anishinaabe Leave;
* Dental Insurance;
* Educational Leave (4 hours per week);
* Employee Assistance Program (EAP);
* Family Leave (FMLA);
* Health Insurance;
* Holidays;
* Jury Duty Leave;
* Life Insurance;
* Long-Term Disability;
* Medical Leave;
* Military Leave;
* Military Family Leave
* Personal Leave;
* Short-Term Disability;
* Sick Leave;
* Supplemental Life Insurance;
* Vacation Benefits;
* Voting Time Off;.
* Any other benefit or leave required by state or federal law.

Some benefit programs require contributions from the employee, but most are fully paid by the Mille Lacs Band. Questions regarding any employee benefit should be directed to Human Resources.

Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health and dental insurance coverage under the Mille Lacs Band's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the Mille Lacs Band's group rates plus an administration fee. The Mille Lacs Band provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the Mille Lacs Band's health and dental insurance plan. The notice contains important information about the employee's rights and obligations.

Health Insurance

The Mille Lacs Band's health insurance plan provides employees and their dependents access to medical insurance benefits. Regular full-time employees are eligible to participate in the health insurance plan.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) policy for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Benefits Administrator for more information about health insurance benefits.

Life Insurance

Life insurance offers you and your family important financial protection. The Mille Lacs Band provides a basic life insurance plan for regular full-time employees. Additional supplemental life insurance coverage may also be purchased.

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between the Mille Lacs Band and the insurance carrier. Details of the basic life insurance plan, including benefit amounts, are described in the Summary Plan Description provided to eligible employees. Contact the Benefits Administrator in Human Resources for more information about life insurance benefits.

Accidental Death and Dismemberment (AD&D) insurance provides protection in cases of serious injury or death resulting from an accident. AD&D insurance coverage is provided as part of the basic life insurance plan.

Short-Term Disability

The Mille Lacs Band provides a short-term disability benefits plan to eligible employees who are unable to work because of a qualifying disability due to an injury or illness. Regular full-time employees are eligible to participate in the short-term disability plan subject to all terms and conditions of the agreement between the Mille Lacs Band and the insurance carrier.

Disabilities arising from pregnancy or pregnancy-related illness are treated the same as any other illness that prevents an employee from working. Disabilities covered by Workers' Compensation are excluded from short-term disability coverage.

Details of the short-term disability benefits plan including benefit amounts (when they are payable), and limitations, restrictions and other exclusions are described in the Summary Plan Description provided to eligible employees. Contact the Benefits Administrator in Human Resources for more information about short-term disability benefits.

Employees are responsible for the employee's portion of the premium contributions for health, dental and supplemental life benefits while on leave.

Long-Term Disability

The Mille Lacs Band provides a long-term disability (LTD) benefits plan to help eligible employees cope with an illness or injury that results in a long-term absence from employment. LTD is designed to ensure a continuing income for employees who are disabled and unable to work.

Regular full-time employees are eligible to participate in the LTD plan subject to all terms and conditions of the agreement between the Mille Lacs Band and the insurance carrier. Eligible employees may begin LTD coverage only after completing 13 weeks of short term disability.

LTD benefits are offset with amounts received under Social Security or workers' compensation for the same time period.

Details of the LTD benefits plan, including benefit amounts and limitations and restrictions are described in the Summary Plan Description provided to eligible employees. Contact the Benefit Administrator for more information about LTD benefits.

Employees are responsible for the employees' portion of premium contributions for health, dental and supplemental life while on leave.

If an employee is on long-term disability status and does not return to work on the agreed upon date, he/she will be deemed to have voluntarily resigned the position, unless an extension is authorized at the discretion of the Commissioner (if employed in the Executive Branch), Secretary-Treasurer (if employed in the Legislative Branch) or Chief Justice (if employed in the Judicial Branch). The employer is not required to provide notice to an employee of an impending separation of employment due to the failure to timely return to work or to follow any other aspect of the progressive discipline policy. In such an instance, the employee shall be deemed to have forfeited any property interest in employment he or she may have had.

401(k) Retirement Savings Plan

The Mille Lacs Band of Ojibwe has established a 401(k) retirement savings plan to provide employees the opportunity to plan for their future financial security.

If you elect to participate in the 401(k) retirement savings plan, you must be a Full-Time Regular Employee with 12 months of service and be 21 years of age or older or a Part-Time Regular Employee with 1,000 hours of service within the first 12 months of service, or within the plan year after the initial evaluation period and be 21 years of age or older. You may join the plan only during quarterly open-enrollment periods. Eligible employees may participate in the 401(k) retirement savings plan subject to all terms and conditions of the plan.

The 401(k) retirement savings plan allows you to elect how much salary you want to contribute and direct the investment of your plan account, so you can tailor your own retirement package to meet your individual needs. The Mille Lacs Band also contributes an additional matching amount to each employee's 401(k) contribution.

Because your contribution to a 401(k) retirement savings plan is automatically deducted from your pay before any applicable federal and state tax withholdings are calculated, you reduce your taxable income.

Complete details of the 401(k) retirement savings plan are described in the Summary Plan Description provided to eligible employees. Contact the Benefit Administrator in Human Resources for more information about the plan.

ABSENCE AND LEAVE

Annual Leave

Annual Leave with pay is available to regular full-time employees.

The amount of paid annual leave that employees receive each year increases with the length of continuous employment as shown in the following schedule:

Years of Service	Rate Per Hour Worked
1 – 3	.05
4 – 6	.0625
7 – 9	.075
10 – 12	.0875
13 +	.1

Annual leave is calculated on a weekly basis.

Employees will not accrue annual leave while they are on paid annual, sick or other leave.

During the probationary period, employees accrue annual leave, but may not take any annual leave until they have successfully completed the probationary period unless special permission is granted by the Commissioner (if the employee is employed in the Executive Branch), the Secretary-Treasurer or District Representative (if the employee is employed in the Legislative Branch), or the Chief Justice (if the employee is employed in the Judicial Branch). Once employees enter the eligible employment classification, employees can use earned annual leave including that which accrued during the probationary period. An employee who terminated employment for any reason during the probationary period is <u>not</u> eligible to receive annual leave payout.

Paid annual leave can be used in minimum increments of one-half hour. To take annual leave, employees must make a request two days in advance, if possible, and receive approval from their supervisor. Requests will be reviewed based on various factors, including business needs and staffing requirements. Emergency situations will be considered by the supervisor when an employee makes his/her request for leave.

In the event that accrued annual leave is not used by the end of the benefit year, employees may carry 80 hours of unused time forward to the next fiscal year. Any accrued annual leave beyond 80 hours will be paid out to the employee only at the end of the fiscal year and not carried over.

Upon termination of employment, employees will be paid for unused annual leave that has accrued through the last day of work.

Employees may not go into a deficit on annual leave. If an employee has exhausted all accrued annual leave, the employee has the option to make a request for unpaid leave and request approval of their supervisor.

NOTE: Elected and appointed officials, and Senior Executive Staff (SES) employees, as defined in 6 MLBSA § 1102(h), are not included in this policy for annual leave calculations and use.

Time with Child and Illness of Child

The Mille Lacs Band provides the following benefit, when feasible and within the discretion of the Band, to regular full-time employees as a benefit of employment:

* TIME WITH CHILD: If an employee's child or grandchild is participating in a school activity, school sponsored event or cultural event, through the completion of high school he/she may be permitted to spend time with their child or grandchild during such event. Employees are allowed three hours per month, per child, for school events that cannot be scheduled outside of the employee's regular work hours. If multiple children participate in the same school activity or school sponsored event scheduled at the same time, no more than three hours is allowed. This time off will be monitored by and must be approved at least seven (7) days in advance by the immediate supervisor. An employee must complete and submit a signed Time With Child form to his/her supervisor upon return to work. (See Appendix B for example.)

* Legal Guardians/Foster Parents are included in this policy.

Requests for leave should be submitted to the supervisor and will be evaluated and approved/denied based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence.

* SICK LEAVE: Employees may use their own accrued sick leave in the event of the illness of a child.

Holidays

The Mille Lacs Band grants holiday time to regular full-time employees for designated Band holidays.

Regular full-time employees calculated holiday pay is based on the employee's straight-time pay rate (as of the date of the holiday) multiplied by the number of hours the employee would otherwise have worked on that day. To be eligible for holiday pay, an employee must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday, unless otherwise previously approved by their supervisor. If the employee is on pre-approved leave the day before, after or combination of, (such as vacation, pre-approved sick leave, funeral leave, Time With Child or leave without pay) the employee will receive holiday pay.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's pre-approved absence (such as vacation, sick leave, funeral leave or leave without pay), the employee will receive holiday pay and will not be required to use the accrued paid time off benefit that would otherwise have applied.

If an eligible non-exempt employee is required to work on a Band holiday, the employee will receive the holiday pay plus holiday wages which are calculated at time and one-half of the employee's regular pay. Time worked during Holidays should be submitted to payroll as Holiday+ on department spreadsheets.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

NOTE: Appointed officials and Senior Executive Staff (SES) employees, as defined in 6 MLBSA § 1102(h), are exempt from the requirement to work the day before and day after a holiday.

Sick Leave

The Mille Lacs Band provides paid sick leave to all regular full-time employees for periods of temporary absence due to illnesses or injuries. Sick leave is a benefit and not an entitlement. Sick leave is not to be used in lieu of annual leave, except that employees are eligible to use sick leave if under a public health quarantine due to exposure to a communicable disease. Eligible employees will accrue sick leave benefits shown in the following schedule:

Hours worked per pay period	Sick leave earned
40 hours	2.00 hours
30 hours	1.50 hours
20 hours	1.00 hours

Sick leave is calculated on a yearly basis that begins when the employee starts to earn sick leave benefits.

Employees will accrue sick leave from the commencement of employment. Paid sick leave can be used in minimum increments of one-half hour. Eligible employees may use sick leave for an absence due to their own illness or injury or that of their child, spouse or parent.

Employees who are unable to report to work due to illness or injury must notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence. If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement must be provided upon return to work verifying the illness or injury and its beginning and expected ending dates, if possible. Such verification may be requested for other sick leave absences within the supervisor's discretion, and may be required as a condition to receiving sick leave benefits. Before returning to work from a sick leave absence of 5 business days or more, an employee must provide a physician's verification that he or she is fit to return to work. The supervisor may refuse to allow the employee to return to work without such verification of fitness to return.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation such as incentives, commissions, bonuses, or shift differentials. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from the Mille Lacs Band disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

In the event an employee has no accrued sick leave at the time of illness or injury, the employer's supervisor, within his or her discretion, may allow the employee to take unpaid sick leave.

In the event that available sick leave is not used by the end of the benefit year, employees may carry up to 160 hours of unused time forward to the next benefit year. Any unused sick leave beyond 160 hours will be lost with no compensation. A Senior Executive Staff (SES) employee, as defined in 6 MLBSA § 1102(h), may donate his/her sick leave hours to another employee. Other employees may also donate his/her sick leave hours to another employee who is eligible to use sick leave (with approval of both the Commissioners of donor employee and the employee receiving the donated time). Donating employees must maintain a balance of 80 sick leave hours

The Employee must use all of their own sick / vacation time prior to getting any donated sick time but an employee may receive donated time in the same week to add up to 40 hours with Commissioner approval. Commissioner approval is required for donating hours.

The accrued balance of the employee receiving donated hours shall not exceed forty (40) hours per pay period.

Sick leave benefits are solely intended to provide income protection in the event of illness or injury and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

NOTE: Elected and appointed officials and Senior Executive Staff (SES) employees, as defined in 6 MLBSA § 1102(h), are not included in this policy for sick leave calculations and use.

Time Off to Vote

The Mille Lacs Band of Ojibwe encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. In the event that an employee cannot vote outside of working hours, the Mille Lacs Band will grant employees no more than two hours' time to vote during Election Day.

Employees should request time off to vote from their supervisor at least two (2) working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Funeral Leave

Employees who wish to take time off due to the death of a family member should notify their supervisor immediately.

For purposes of this policy, the Mille Lacs Band defines "family" as the employee's spouse, parents, children, siblings, step-children, grandparents, grandchildren, aunts, uncles, nieces, nephews, first-cousins and spouse's parents and siblings.

One to three days of paid funeral leave will be provided to regular full-time employees.

Funeral pay is calculated based on the base pay rate at the time of absence.

Employees may request to use any available annual or up to three (3) days of sick leave without a doctor's note for additional time off as necessary. If an employee requests additional time, they must request the supervisor's approval.

For community funerals, the District Community Centers will be closed the afternoon of the wake and the day of the funeral according to the guidelines as to usage. Therefore, supervisors of employees whose office is located within the community centers shall make arrangements to find space or means for these employees to fulfill their employment work day obligation.

Jury Duty

The Mille Lacs Band encourages employees to fulfill their civic responsibilities by serving on jury duty when required.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Regular Full Time Employees (FTE) will be paid at their regular rate of pay when required to serve on jury duty, but must seek prior supervisory permission and must show proof of such service.

Medical Leave

The Mille Lacs Band provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability. For purposes of this policy, serious health conditions or disabilities include inpatient care in a hospital, hospice, or residential medical care facility; continuing treatment by a health care provider; and temporary disabilities associated with pregnancy, childbirth, and related medical conditions.

Regular full-time employees who have completed one consecutive year of service are eligible to request medical leave as described in this policy. Exceptions to the service requirement will be considered to accommodate disabilities.

Eligible employees should make requests for medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending dates, if known. Any changes in this information should be promptly reported to the Mille Lacs Band. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work.

Eligible employees are normally granted leave for the period of the serious health condition, up to a maximum of 12 weeks within any 12 month period. Leave may be taken all together or intermittently. Employees will be required to first use any accrued paid leave time before taking unpaid medical leave. The period of paid leave shall be considered part of the 12 weeks of leave entitlement. Any combination of medical leave and family leave, as described in the next section of this Manual, may not exceed this maximum limit within a 12-month period. If this initial period of absence proves insufficient, consideration will be given to a request for an extension of one additional month.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with the Band's Workers' Compensation plan policy.

Subject to the terms, conditions and limitations of the applicable plans, the Mille Lacs Band will continue to provide health insurance benefits for the full period of the approved medical leave. However, the employee will be responsible for the employee's contribution portion of the premium.

Benefit accruals, such as vacation, sick leave or holiday benefits, will be suspended during the unpaid portion of the leave and will resume upon return to active employment.

An employee who returns from a medical leave in a timely manner will be reinstated to the same position that the employee held at the commencement of the leave,

or to an equivalent position with equivalent benefits and pay for which the employee is qualified. An equivalent rate of pay is defined as falling within a range of ten percent (10%) of the employee's rate of pay upon taking leave. The Band retains the right to transfer the employee requesting such leave to a different position and work schedule with equivalent pay and benefits in order to best serve the Band's operational concerns during the leave. In the alternative, the Band may restructure the employee's existing position but maintain the employee's existing pay and benefits or restructure a position that can be performed with the employee's medical condition, if one still exists.

In the event that an employee fails to return to work on the agreed upon return date, the employee will be considered to have resigned from employment. The employer is not required to provide notice to an employee of an impending separation of employment due to the failure to timely return to work or to comply with other aspects of the progressive discipline policy. In such an instance, the employee shall be deemed to have forfeited any property interest in employment he or she may have had.

An employee on medical leave may apply for short term and long term disability benefits.

Family Leave

The Mille Lacs Band of Ojibwe provides family leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider.

Regular full-time employees who have completed one consecutive year of service are eligible to request family leave as described in this policy.

Eligible employees should make requests for family leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

Employees requesting family leave related to the serious health condition of a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for a family leave to provide care, its beginning and expected ending dates and the estimated time required, if known.

Eligible employees may request up to a maximum of 12 weeks of family leave within any 12 month period. Employees will be required to first use any accrued paid leave time before taking unpaid family leave. The period of paid leave shall be considered part of the 12 weeks of leave entitlement. Any combination of family leave and medical leave may not exceed this maximum limit. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 30 calendar days. Married employee couples may be restricted to a combined total of 12 weeks leave within any 12 month period for childbirth, adoption or placement of a foster child, or to care for a parent or family member with a serious health condition.

Subject to the terms, conditions, and limitations of the applicable plans, the Mille Lacs Band will continue to provide health and dental insurance benefits for the full period of the approved family leave. However, the employee will be responsible for the employee's contribution portion of the premium.

Benefit accruals, such as vacation, sick leave or holiday benefits, will be suspended during the unpaid portion of the leave and will resume upon return to active employment.

An employee who returns from a family leave in a timely manner may be reinstated to the same position that the employee held at the commencement of the leave or to an equivalent position with equivalent benefits and pay for which the employee is qualified. An equivalent rate of pay is defined as falling within a range of ten percent (10%) of the employee's rate of pay upon taking leave. The Band retains the right to transfer the employee requesting such leave to a different position and work schedule with equivalent

pay and benefits in order to best serve the Band's operational concerns during the leave. In the alternative, the Band may restructure the employee's existing position but maintain the employee's existing pay and benefits.

If an employee fails to return to work on the agreed upon return date, the Mille Lacs Band will consider that the employee has resigned from employment. The employer is not required to provide notice to an employee of an impending separation of employment due to the failure to timely return to work or to comply with any other aspect of the progressive discipline policy. In such an instance, the employee shall be deemed to have forfeited any property interest in employment he or she may have had.

PARENTAL LEAVE

It is the intent of the Band to ensure that Band employees are afforded the time that they deserve to nurture and grow a family, whether that is through a new birth, adoption, foster care, or legal designation. The Band especially supports paid parental leave to encourage Band employees to consider adopting, fostering, or becoming legally designated to provide care and supervision to a child. Flexible and family-friendly policies are essential to cultivating an atmosphere where employees can thrive professionally without sacrificing essential family obligations.

The Band will provide paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption, foster care, or guardianship. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn, an adopted child, or when an adult has been legally designated parental supervision of a child.

a. Employment Eligibility. Eligible employees must meet the following criteria:

1. Have been employed with the Band for at least 12 months (the 12 months do not need to be consecutive).
2. Have worked at least 1,040 hours during the 12 consecutive months immediately preceding the date the leave would begin.
3. Be a full-time, regular employee (part-time, temporary, or intermittent employees and interns are not eligible for this benefit).

b. Parental Eligibility. In addition, employees must meet one of the following criteria:

1. have given birth to a child;
2. be a spouse or committed partner of a person who has given birth to a child;
3. have adopted a child age 17 or younger (the adoption of a child by a new spouse is excluded from this policy);
4. have a new foster child staying at their home;
5. have been legally designated to provide food, shelter, and parental supervision to a child.

c. Amount, Time Frame, and Duration of Paid Parental Leave for Birth.

1. The Band provides 12 weeks of paid parental leave per year for parents who meet the parental eligibility requirements 1 or 2 as designated above in paragraph b.
2. Eligible employees will receive a maximum of 12 weeks of paid parental leave per birth. The fact that a multiple birth occurs (e.g., the birth of twins) does not increase the 12-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than 12 weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth occurs within that 12-month time frame.

3. Each week of paid parental leave is compensated at 80% of the employee's regular, full-time pay from all funding sources. Paid parental leave will be paid on regularly scheduled pay dates.
4. Approved paid parental leave may be taken at any time during the 12-month period immediately following the birth. Paid parental leave may not be used or extended beyond this 12-month time frame.
5. Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the 12-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 12-month time frame.

d. Amount, Time Frame, and Duration of Paid Parental Leave for Adoption, Foster Child and Legal Designation.

1. The Band provides 4 weeks of paid parental leave per year for parents who meet the parental eligibility requirement 3, 4, or 5 as designated above in paragraph b.
2. Eligible employees will receive a maximum of 4 weeks of paid parental leave per adoption, foster child, or legally designated parental supervision. The fact that a parent may adopt, foster, or be legally designated parental supervision for multiple children at once does not increase the 4-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than 4 weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one child placement occurs within that 12-month time frame.
3. Each week of paid parental leave is compensated at 80% of the employee's regular, full-time pay. Paid parental leave will be paid on regularly scheduled pay dates.
4. Approved paid parental leave may be taken at any time during the 12-month period immediately following the child's placement with the adult. Paid parental leave may not be used or extended beyond this 12-month time frame.
5. Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the 12-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 12-month time frame.

e. Coordination with Other Policies.

1. In no case will the total amount of leave, whether paid or unpaid, granted to the employee exceed 12 weeks for a new birth or 4 weeks for a new adoption, foster child, or legally designated parental supervision. Available annual leave or sick leave cannot be used to extend leave. Employees are not required to exhaust annual leave or sick leave before taking paid leave.
2. The Band will maintain all benefits for employees during the paid parental leave period just as if they were taking any other paid leave such as paid holidays, annual leave, or sick leave. Annual leave and sick leave will not accrue during paid leave.

3. If a Band holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement period.
4. The 12 weeks of paid parental leave includes the short-term disability leave/benefit provided to the employee for the employee's own medical recovery following childbirth.
5. Upon termination of the individual's employment at the Band, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

f. Request for Paid Parental Leave

1. In order for Human Resources to review the request for paid parental leave, the employee will provide Human Resources with written notice and any necessary documents at least 30 calendar days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary forms and provide all documentation as required by the Band to substantiate the request.
    a. Employees must provide Human Resources with legal documentation showing proof of a new birth, adoption, foster child, or legally designated parental supervision to a child, whichever is applicable.
2. The approval or denial of the request for leave will be provided in writing by Human Resources to the employee and supervisor within 15 calendar days of receiving all necessary documentation required for the request.

Personal Leave

The Mille Lacs Band provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Regular full-time employees who have completed one consecutive year of service are eligible to request personal leave as described in this policy. As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their supervisor. The supervisor of an employee taking personal leave may hire a temporary replacement for no more than ninety (90) calendar days to maintain the smooth work flow of the office.

Unpaid personal leave may be granted for a period of up to 30 calendar days per year. The employee should exhaust his/her accrued vacation leave prior to taking unpaid personal leave.

Requests for personal leave will be evaluated based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions and limitations of the applicable plans, health insurance benefits will be provided by the Mille Lacs Band until the end of the month in which the approved personal leave begins. At that time, the employee will become responsible for the full costs of these benefits if the employee wishes coverage to continue. When the employee returns from personal leave, benefits will resume according to the applicable plans.

Benefits such as vacation, sick leave or holiday benefits will not accrue during the leave and will resume upon return to active employment.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to an equivalent position with equivalent benefits and pay for which the employee is qualified. An equivalent rate of pay is defined as falling within a range of ten percent (10%) of the employee's rate of pay upon taking leave. However, the Mille Lacs Band cannot guarantee reinstatement in the same or an equivalent position, or in any position, in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, the Mille Lacs Band will consider the employee to have voluntarily resigned from employment. The employer is not required to provide notice to an employee of an impending separation of employment due to the failure to timely return to work or to

comply with any other aspect of the progressive discipline policy. In such an instance, the employee shall be deemed to have forfeited any property interest in employment he or she may have had.

Educational Leave

The Mille Lacs Band provides educational leave not to exceed four (4) hours a week with pay to eligible employees who wish to take time off from work duties to pursue course work. Regular full-time employees who have completed 90-calendar days of service are eligible to request educational leave as described in this policy.

Requests should be made to the supervisor and will be evaluated and will be approved/denied based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence. A course syllabus/class schedule should be submitted to the employee's Supervisor prior to the start of each semester.

Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the United States uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees will receive partial pay for two-week training assignments and shorter absences. Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base compensation and the pay (excluding expense pay) received while on military duty.

The portion of any military leave of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Benefits, such as vacation, sick leave or holiday benefits, will not accrue during the unpaid portion of the leave and will resume upon the employee's return to active employment.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all other applicable laws.

Employees returning from military leave will be placed in the position they held prior to deployment or an equivalent position with equivalent benefits and pay for which the employee is qualified, depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service. An equivalent rate of pay is defined as falling within a range of ten percent (10%) of the employee's rate of pay upon taking leave.

Contact Human Resources for more information or questions about military leave.

Leave for Military Families

In addition to standard FMLA leave, an employee may take unpaid leave in a twelve-month period to care for an injured or ill service member. An employee may take no more than twenty-six weeks during a twelve-month period of combined FMLA and military leave.

In addition, eligible employees are entitled to up to 12 weeks of leave because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. A qualifying exigency might include:

- short-notice deployment;
- military events and related activities;
- childcare and school activities;
- financial and legal arrangements;
- counseling;
- rest and recuperation;
- post-deployment activities; and
- additional activities when the employer and employee agree to the leave.

Employees may take up to ten (10) days leave of absence without pay when an immediate family member is injured or killed while engaged in active service as a member of the United States armed forces. The employee must provide notice prior to taking leave.

In addition, an employee may take up to one (1) day leave of absence without pay when an immediate family member has been ordered into active service in support of a war or other national emergency for the purposes of attending a send-off or homecoming ceremony. The employee must provide notice prior to taking leave.

For the purposes of the military leave policy only, immediate family includes the employee's parent, spouse, child, sibling, grandparent, grandchild, spouse's parent, spouse's child, spouse's grandparent, spouse's grandchild, brother, sister, step-parent, step-child, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

Anishinaabe Leave

Tribal Members who are “Regular Full-time Employees” may use "Anishinaabe Leave" as described in this policy. Anishinaabe Leave, for purposes of this policy, is defined as "Regular Hours" to participate in Midewiwin ceremonies, prepare for Ceremonial Drum and aid/participate in other Tribal ceremonies. Employees who are contracted to provide services for the ceremonies listed above may not use Anishinaabe Leave. Eligible employees may take Anishinaabe Leave after giving their superiors requisite prior notice. Approval may depend on workload and the needs of the program.

Midewiwin Ceremonies- Eligible employees are provided a maximum eighty (80) hours of paid Anishinaabe Leave per year for aiding Midewiwin as “Nayaadamaaged” and for any person seeking aid from a Mide Lodge as a “Waa-mide’od”.

Anishinaabe Leave for Midewiwin ceremonies may be granted only while an active Midewiwin Ceremony is taking place. Typically held in the summer months of June, July and August.

Big Drum- If an employee is required to make special preparations for attendance at a Big Drum Ceremony that they are a member of as “Debendaagozid”; eight (8) hours of Anishinaabe Leave may be used the day that the ceremonies are held.

Funeral Helpers- Eligible employees may use a maximum of eight (8) hours of leave to assist as “helpers” at traditional funerals or four (4) hours of leave to assist as "helpers" at other traditional ceremonies.

Other- Other Tribal Members can participate in their own Tribal ceremonies utilizing this leave.

Notice- Written NOTICE to the supervisor will be given at the earliest possible convenience for less than 2 days leave; 1 week in advance for 3-5 days leave, and/or 2 weeks in advance for 6+ days of Anishinaabe Leave.

Additional hours of Anishinaabe Leave will be at the discretion of the Commissioners (Executive Branch), the Chief Executive (CEO employees) the Secretary-Treasurer or District Representative, if he/she directly supervises the legislative employee, or the Chief Justice (Judicial Branch).

NOTE: Benefits such as annual and sick leave will not accrue during the leave and will resume upon return.

Abuse of this leave will result in immediate termination.

Definitions:

Nayaadamaaged- Someone that helps at a Midewiwin Ceremony.

Waa-mide'od- Someone intending to go through a Mide Lodge (seeking help).

Debendaagozid- Someone that belongs to a certain Drum.

Notices need to be submitted along with weekly payroll spreadsheet

Community Affairs Leave and Participation

The Mille Lacs Band encourages employees to participate, when appropriate and practical, in community service affairs for any charitable, religious, fraternal or civic purposes. However, employee participation in such community activities must not adversely affect the employee's job performance, be detrimental to the Band's interest or create a conflict of interest.

Time spent working on community affairs normally should be outside of the employee's working hours and, in such circumstance, will not be considered hours worked for pay purposes. In the event it is necessary, and the employee receives approval in advance from the supervisor, employees may use up to 40 hours per calendar year with pay for participation in community affairs. The supervisor will monitor the hours taken for community service activities.

Requests for leave should be submitted to the supervisor and will be evaluated and approved/denied based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence.

Time spent in community affairs at the Band government's request will be considered hours worked for pay purposes.

Employees Filing for Political Office

Employees planning to campaign for, seek, or accept appointment to a public office must give prior notice of their intention to their supervisor prior to public announcement or prior to filing for public office. Their supervisor will review with the employee any requirements to avoid a conflict of interest and to maintain satisfactory attendance, effort and performance standards. Employees engaging in political activities must do so as individuals on their own time and not as representatives of the Band government or make any representation otherwise.

PAY POLICIES

Paydays

All employees are paid every Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

The law requires that the Mille Lacs Band make certain deductions from every employee's compensation. Among these are applicable federal, state and local income taxes. The Mille Lacs Band must also deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The Mille Lacs Band matches the amount of Social Security taxes paid by each employee.

If you have questions concerning why deductions were made from your pay check or how they were calculated, contact the Payroll Specialist or Commissioner of Finance.

Initial Effective Date: 1/06/10
Date of Amendment: 2/24/24
Amendment History- page 108

Rest Breaks

Employees who work eight hours are provided with two (2) rest periods of 15 minutes in length. Employees who work four hours are provided with one (1) rest period of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their work stations beyond the allotted rest period time.

Employees on rest breaks are not permitted to interfere with fellow employees who are continuing to work.

Meal Breaks

Employees who work eight hours are provided with one meal period of 60 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. Employees using a time clock must clock-in and out during meal periods.

Timekeeping

Accurately recording time worked is the responsibility of every employee. Federal laws require the Mille Lacs Band to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is the actual time spent on the job performing assigned duties.

All employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Nonexempt employees should report to work no more than 15 minutes prior to their scheduled starting time nor stay more than 15 minutes after their scheduled stop time without express, prior authorization from their supervisor.

Altering, falsifying, or tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

The normal work schedule for all regular employees is eight (8) hours a day, five (5) days a week. The normal workweek is Sunday through Saturday, beginning and ending at midnight on Saturday, and consisting of 40 hours. Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Attendance at lectures, meetings and training programs are considered time worked unless it is outside the regular working hours or not approved in advance by the supervisor.

Overtime For Non-Exempt Employees

A supervisor may determine and require an employee to work more than eight (8) hours per day. The number of additional hours of work should be determined by the supervisor. Employees will be informed of any changes to the schedule as far in advance as possible. However, lack of notice will not be a valid reason for an employee refusing to work.

Nonexempt employees are not permitted to work overtime without the prior approval of their supervisor or department head and may be subject to disciplinary action up to and including termination.

Overtime pay is based on actual hours worked. Time off on sick leave, annual leave, any leave of absence or holidays will not be considered hours worked for purposes of performing overtime calculations.

Employees who obtain prior approval will receive overtime compensation, at the rate of one and one-half times the employee's regular rate of pay, for all hours worked beyond forty (40) hours in a work week.

For employees who work in any additional position(s) to their primary job or position (identified by separate Personnel Payroll Action Notice's (PPANS), time worked in each position is calculated separately and only hours worked in excess of 40 hours per week for each position is paid at the overtime rate.

HARASSMENT AND DISCRIMINATION

The Mille Lacs Band is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes or comments based on an individual's sex, race, ethnicity, age, religion, sexual orientation, disability, class or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship and is strictly prohibited.

Any employee who engages in harassment on the basis of race, color, creed, religion, national origin, sex, sexual orientation, marital status, status with regard to public assistance, disability or age, or who permits employees under his/her supervision to engage in such harassment, or retaliates or permits retaliation against an employee who reports such harassment, shall be subject to disciplinary action, up to and including termination of employment.

Any employee who wants to report an incident of sexual harassment or other prohibited act of discrimination should promptly report the matter in writing to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Human Resources Director. Employees can raise concerns and make reports without fear of reprisal.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the Human Resources Director who will handle the matter in a timely and confidential manner.

Sexual harassment is prohibited and includes any unwelcome sexual advance, request for sexual favors and verbal or physical conduct of a sexual nature when:

> Such conduct is used as a factor in any employment decision affecting any individual, or such conduct has the purpose or effect of unreasonably interfering with any employee's work performance or creating any intimidating, hostile or offensive working environment.

The Band government prohibits all employees from engaging in any conduct of a sexual nature or in conduct amounting to harassment based on any protected category in the work setting.

The Mille Lacs Band will investigate and attempt to resolve all employee complaints promptly. If for any reason, an employee believes the situation has not been satisfactorily resolved in a reasonable period of time, the employee may refer the problem to the Human Resources Director and the Grievance Committee.

Anyone engaging in sexual or other unlawful harassment or conduct will be subject to disciplinary action, up to and including Summary Dismissal, see Page 78.

PERFORMANCE MANAGEMENT

Performance Evaluation

Supervisors and employees are strongly encouraged to discuss job performance and goals regularly on an informal basis. Formal performance evaluations should be conducted at or about the end of an employee's probationary period in any new position, and thereafter following the performance evaluation schedule below. Performance evaluations provide employers and employees the opportunity to discuss job tasks, identify and correct deficiencies, encourage and recognize strengths, and discuss positive approaches for meeting the expectations of the position.

Performance Evaluation Schedule

90 day evaluation – Completed at the end of the employee's 90 day probationary period in any new position.

One year evaluation – Completed at the end of the employee's first full year of employment in their current position.

Annual Fiscal Year evaluation – To bring an employee to the Fiscal year cycle, see example below. The initial evaluation to bring the employee to the Fiscal year cycle is prorated. Each evaluation period thereafter will be October 1 to September 30 of each year unless the employee changes positions.

Example:

Employee date of hire is 5/21/16, a 90 day evaluation would be completed at 8/21/16.

A One year evaluation would be completed for the period of 5/21/16 to 5/21/17.

The Annual Fiscal Year evaluation would be completed for the period of 5/22/17 (day after employee one year anniversary) to 9/30/17 (last day of fiscal year) and will be yearly after that with the new October 1 to September 30 dates)

Note: the employee evaluation schedule will start over with a change of positions.

ADMINISTRATIVE INVESTIGATIONS

An employee that is subject to an investigation for potential policy violations shall be placed on an unpaid suspension not to exceed thirty (30) days while the Department and/or Human Resources conduct an immediate, thorough and impartial investigation. If the investigation is not substantiated and there is no policy violation to proceed with disciplinary action or summary dismissal, the employee will be returned to work and retroactively paid for the length of time they were off of work.

Progressive Discipline
(Opportunity to Correct Job Performance)

The Mille Lacs Band believes that its employees deserve fair treatment in any actions taken to resolve behavioral or performance problems. In this regard, the Band strives to ensure that its employees receive prompt, uniform and impartial treatment regarding any disciplinary issue. The major purpose of any disciplinary action is to correct the problem and to prevent recurrence of the issue.

The Mille Lacs Band will follow the steps set forth below with respect to most disciplinary problems. However, certain types of employee problems are serious enough to justify either a suspension or immediate termination of employment, without going through the progressive discipline steps. See Summary Dismissal section in this Manual. Therefore, any and all of the following steps may be bypassed, within the discretion of the supervisor and the Human Resources Director, if they deem the conduct serious enough or if circumstances exist which make the following steps impracticable.

(a) Verbal Reprimand. The supervisor should orally explain the behavioral or performance problem to the employee. The supervisor should suggest solutions to the employee in order to remedy the behavioral or performance problem. At the conclusion of this meeting, the employee and his/her supervisor should sign a form noting the date, time and the substance of this meeting. This form will be maintained by the supervisor for a period of six (6) months and will not be maintained in the employee's personnel file.

(b) Written Warning. If the behavior or performance that was the focus of the first level meeting recurs, a written summary of the behavioral or performance problem shall be delivered to the employee. The written warning must state the supervisor's expectations for improvement and provide steps to be taken by the employee. Upon mailing or personal delivery of the written warning, the employee should acknowledge his/her receipt of the same on a form noting the date of receipt. The written warning will be maintained in the employee's personnel file.

(c) Suspension Notice. If no improvement is shown or the conduct recurs following the above steps, the supervisor, after consultation with the Human Resources Director, shall have the option to suspend the employee. The supervisor shall notify the employee in writing by mailing or personal delivery that he or she is being suspended without pay for a period of one (1) to five (5) days. The length of the suspension shall be determined taking into consideration the nature and severity of the behavior or performance problem. A written suspension notice,

which shall be mailed or personally delivered to the employee, should concisely state the specific reason(s) for the suspension and the dates of the suspension

(d) Termination Notice. If no improvement is shown or the conduct recurs following the above steps, the supervisor, after consultation with the Human Resources Director, shall have the option to terminate the employee rather than suspend. Termination of an employee shall be determined taking into consideration the nature and severity of the behavior or performance problem. The supervisor shall notify the employee in writing by mailing or personal delivery that his or her employment is being terminated. The termination notice shall concisely state the specific reason(s) for the termination and the effective date of the termination.

Prior to processing any suspension or termination, a supervisor must first conduct an informal meeting with the employee to provide a general summary of the allegations supporting the contemplated disciplinary action, and to provide the employee a meaningful opportunity to rebut the allegations. The length of the informal meeting shall depend upon the circumstances, and the supervisor does not need to adhere to any prescribed procedure.

If a decision is made to suspend or terminate the employee, the supervisor shall immediately notify the Human Resources Director and the Office of Management & Budget of the effective dates of the suspension or termination. In addition, the supervisor shall provide written documentation to the Human Resources Director outlining the following (to the extent applicable):

a. The specific behavior or performance that resulted in the suspension and/or termination, including the dates on which such behavior or performance occurred (including but not limited to the date of the most recent incident) and any provisions of the Personnel Policy that were violated; and

b. The previous disciplinary actions taken and any assistance offered to the employee to correct the behavior or performance that resulted in the suspension and/or termination, including but not limited to:
   (i) the time and date of the verbal warning meeting;
   (ii) the time and date of the written warning;
   (iii) the time and date of the Notice of Suspension and the date(s) of the suspension; and
   (iv) the time and date of the notice of termination and the effective date of termination.

GRIEVANCE PROCEDURE

(Employee's Right to Grieve)

1. Generally.

Each and every employee is encouraged to deal openly and directly with supervisors in order to provide a more positive work environment. Therefore, employees are encouraged to discuss any concerns directly with their supervisor at the onset of the concern. If those concerns are not resolved at that level, after discussion with the direct supervisor, or if the employee's direct supervisor is the subject of the problem or is directly involved, the employee should bring any concerns forward as outlined below:

If the employee believes his/her direct supervisor is not open to discussing the complaint, or if the direct supervisor is the subject of the complaint, the employee must contact the higher level supervisor to try to resolve the issue. If the employee's supervisor is a commissioner or elected official, the employee should contact the Human Resources Director to arrange this meeting. The higher level supervisor shall investigate the claims of the employee within ten (10) business days of the initial contact by the employee and attempt to resolve the issue. The higher level supervisor may also contact the Human Resources Director to assist in resolving the issue.

If the employee believes that the higher level supervisor has not resolved the issue to his/her satisfaction, he/she may contact the Human Resources Director within five (5) business days of the higher level supervisor's written response to request that the complaint be addressed before the Grievance Committee.1 If the higher level supervisor fails to respond within the designated timeframe, the higher level supervisor may be subject to a disciplinary action.

The Grievance Committee shall meet to resolve the complaint within twenty-one (21) business days of the employee's request. The decision of the Grievance Committee is final.

[1] The Grievance Committee shall be a body of five (5) individuals made up of a representative of the Human Resources Department, the Executive Branch, the Legislative Branch, the Judicial Branch, and one elder who shall also be a government employee. It shall be the responsibility of the committee members to select the elder employee. The committee members of each branch of government shall be selected by the elected officials and, in regard to Judicial, the Chief Justice. If a conflict exists between a committee member and the employee, the committee member must remove himself/herself from the hearing proceedings.

2. Grievance and Appeal of Disciplinary Action.

Each and every employee is afforded the opportunity to grieve or appeal a disciplinary action against them if he/she believes it is in their best interest to do so. In order to provide an impartial and fair process, the Mille Lacs Band hereby adopts the following procedure:

Level One: An employee who has received a written warning concerning a behavioral or performance problem from his/her immediate supervisor and who wishes to grieve/appeal the same must do the following: (1) Contact the supervisor of his/her immediate supervisor within five (5) business days of the employee's receipt of the written warning to request a meeting. The higher level supervisor must listen to the employee's grievance/appeal in a fair and impartial manner. (2) Within five (5) business days of the meeting, the higher level supervisor must prepare a written statement of the meeting and outline the steps taken to resolve the matter. (3) A copy of the written statement must be mailed or personally delivered to the employee on the same day a copy is provided to Human Resources to be placed in the employee's file. There is no further appeal to the Grievance Committee of a written warning.

Likewise, an employee who is suspended and who wishes to grieve/appeal the same must do the following: (1) Contact the supervisor of his/her immediate supervisor within five (5) business days of the employee's suspension to request a meeting. The higher level supervisor must listen to the employee's grievance/appeal in a fair and impartial manner. (2) Within five (5) business days of the meeting, the higher level supervisor must prepare a written statement of the meeting. (3) A copy of the written statement must be mailed or personally delivered to the employee on the same day a copy is provided to Human Resources to be placed in the employee's file. There is no further appeal to the Grievance Committee of a suspension.

Level Two: An employee who is terminated and who wishes to grieve/appeal the same must do the following: (1) Within ten (10) business days of the date of mailing or personal delivery of the termination letter or notice, he/she must file a written request with the Human Resources Director to request a hearing before the Grievance Committee outlining the basis for challenging the facts of the termination decision. The employee shall give up the right to a hearing if he or she fails to submit a written outline. (2) Within twenty-one (21) business days of the filing of the request for hearing, the Grievance Committee must hold a hearing on the employee's complaint. (3) Within ten (10) business days of the hearing, the Grievance Committee must provide a written decision to the employee by mail or personal delivery recommending either that the employee be re-instated or upholding the termination.[2] A copy of this decision will be kept in the employee's file.

[2] In reviewing a termination decision, the Grievance Committee shall limit its review to the grounds for termination set forth in the notice of termination and the written documentation provided by the supervisor to the Human Resources Director in accordance with the Progressive Discipline Policy. The grounds for

Level Three: If the employee believes that his/her grievance of a termination decision has not been adequately resolved by the Grievance Committee, he/she may appeal to the Court of Central Jurisdiction within ten (10) business days of the date of mailing or personal delivery of the written decision of the Grievance Committee. See the policy on Official Employee Address and Legal Notice in this Manual for purposes of calculating the ten-day period. The employee bears the burden of proof on appeal. **The rules and procedures governing the appeal are set forth in Appendix A attached hereto**. The decision of the District Court of the Court of Central Jurisdiction may be appealed to the Court of Appeals of the Court of Central jurisdiction in accordance with the rules and procedures set forth in Appendix A, but the decision of the Court of Appeals of the Court of Central Jurisdiction shall be final and unappealable.

termination as set forth in those documents cannot be supplemented during the pendency of the grievance process.

TERMINATION

Employment Termination

During the probationary period, or the first 90 days of employment, the Mille Lacs Band of Ojibwe has the right to terminate employment at will, which means with or without cause or for any reason. However, a regular full-time employee who accepts a transfer, promotion or non-disciplinary demotion cannot be terminated at will during a subsequent probationary period associated with the new employment position. Following the probationary period, an employee may be terminated only for "just cause." The definition of just cause and the procedure for termination are set forth in this Personnel Policy Manual.

Summary Dismissal

(a) Under certain circumstances, an employee is subject to an immediate Summary Dismissal, and is not entitled to progressive discipline. These special circumstances exist when a supervisor has proof or credible information that the employee has committed or been convicted of one of the following acts, or other acts of a similarly serious nature, while employed by the Band:

(1) An offense against another person, including:
  (A) Assault;
  (B) Battery;
  (C) Sexual assault;
  (D) Acts or threats of violence of any kind; or
  (E) Endangerment of a child or vulnerable adult.
  (F) Behavior as defined in Harassment and Discrimination policy.

(2) An offense against property, including:
  (A) Theft (including embezzlement);
  (B) Robbery;
  (C) Unauthorized use of a work vehicle, including driving without insurance;
  (D) Burglary;
  (E) Arson;
  (F) Receiving stolen property; or
  (G) Vandalism**.**

(3) Alcohol related offenses include:
  (A) Obtaining or providing alcohol to persons under the age of 21.

(4) Controlled substances offenses, including:
  (A) Possession of controlled substances; or
  (B) Sale of controlled substance.

(5) Miscellaneous other offenses, including:
  (A) Forgery;
  (B) Obtaining a signature by deception;
  (C) Bribery;
  (D) Criminal impersonation;
  (E) Improper influence of official;
  (F) Obstruction of Band administration;
  (G) Obstruction of justice;
  (H) Tampering with a public record;
  (I) Falsification of documents;
  (J) Participating in political activities during business hours;
  (K) Using Band government property for political purposes during business hours;
  (L) Using Band government staff/employees for political purposes during business hours;

(M) Disclosing confidential information to another without prior authorization; and

Summary Dismissal (continued)

(N) Falsely reporting a crime.
(O) Any pending criminal charges that are not resolved within a thirty (30) day period that reduces the ability to perform his/her job.
(P) Any criminal conviction that reduces the employee's eligibility to perform his/her job.

(b) An employee subject to summary dismissal may appeal the termination decision pursuant to the Grievance Procedure described above.

Termination for Just Cause

The reasons for "just cause" termination may include the following:

(a) All infractions listed in the Summary Dismissal section.

(b) Misconduct, including:

(1) Unexcused absence from work;
(2) Repeated and unexcused tardiness;
(3) Abuse of the Band's attendance or leave policies;
(4) Insubordination e.g. not following chain of command;
(5) Failure to carry liability insurance for a vehicle used for Band business;
(6) Operating a Band vehicle without a Minnesota driver's license;
(7) Engaging in conduct in violation of the Band's personnel policies (including but not limited to discrimination, harassment or retaliation);
(8) Disruptive behavior in the workplace;
(9) Any other intentional, negligent or indifferent conduct on or off the job that demonstrates a violation of the standards of behavior the Band reasonably expects from its employees.
(10) Gambling/Gaming during work hours (Work hours do not include unpaid meal breaks).
(11) Reasonable belief the employee has committed a material violation of Professional Practice Standards

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(c) Performance Problems, including, but not limited to:

(1) Failure to follow orders or directions of a supervisor;
(2) Failure to perform work in an efficient, timely and accurate manner;
(3) Failure to perform satisfactorily on a consistent basis;
(4) Failure to comply with the terms of a grant or contract;
(5) Failure to satisfactorily complete a performance improvement plan or comply with the terms of a written warning from a supervisor.

(d) Miscellaneous Problems, including:

(1) Disrupting other Band programs;
(2) Subsequent failure to satisfy an essential job requirement as explicitly stated on an Administration Policy Board (APB) approved job description.

An employee has the right to appeal the termination decision as described in this Personnel Policy Manual.

Access to Personnel Files

A personnel file is maintained for each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

While each employee has the right to view and copy his/her personnel file, personnel files are the property of the Mille Lacs Band and access to the information is restricted. Generally, only supervisors and management personnel having a legitimate reason to review information within a file are allowed to do so.

Employees who wish to review his/her file should inform Human Resources in writing. Within seven working days of receipt of the written request, an employee will be permitted to review his/her personnel file in the presence of Human Resources staff and within the Human Resources office. **No one is permitted to remove his/her personnel file from the office**.

Requests to review personnel files more than once every six months may be denied at the discretion of the Human Resources Director. No documents may be removed from the personnel file by anyone other than the individual appointed by the employer to maintain the files. If the employee would like a copy of any document in his/her personnel file, they must ask the Human Resources staff for such copy. The employee requesting the copy may be asked to reimburse the Mille Lacs Band for the cost at 25 cents per page.

If an employee disputes any information contained in his/her personnel file, the employee should first ask the Human Resources Director to revise or remove the disputed information. If the employee and employer cannot reach an agreement on revision or removal, the employee may submit a written position statement, no more than five pages, to be included along with the disputed information in the employee's personnel record.

Any employee who discloses confidential personnel information of any other employee to another shall be immediately terminated upon proof of same, according to the process outlined in this Personnel Policy Manual.

PROMOTION ADVANCEMENT

Posted Positions

Human Resources shall post all openings in employment positions and provide job descriptions for such openings at or before the time at which the openings are advertised. However, The Mille Lacs Band reserves its discretionary right not to reschedule interviews for applicants unable to make the originally scheduled day and time.

Job openings will be posted on the employee bulletin board, MLBO website, and in the e-mail system. Each job posting notice will include the dates of the posting period, job title, department, location, grade level, essential duties and qualifications (required skills and abilities).

Employees who have a written warning on file within 90 days prior to application or are on suspension are not eligible to apply for posted jobs.

To apply for an open position, employees should complete an employment application and submit a cover letter and resume to Human Resources, listing job-related skills and accomplishments. It should also describe how their current experience with the Mille Lacs Band and prior work experience and/or education qualifies them for the position.

A. Employee Transfers

If a regular full-time employee, who has successfully completed a 90-day probationary period and who has not received a written warning or suspension within 90 days prior to applying for a posted position, is hired for a posted position, the employee must serve a 90-day probationary period in the posted position for the purpose of performance evaluation, but will retain and be able to use employee benefits such as any accrued sick and annual leave and, if a Band Member employee, retain eligibility for all Band benefit/program services. A regular full-time employee who is offered and accepts a transfer, promotion or non-disciplinary demotion, must serve a 90-day probationary period in the new position and cannot be terminated at-will, nor can the offer be rescinded.

Effective April 1, 2014, the Band government will accept an individual's time worked as a Mille Lacs Corporate Ventures (MLCV) non-gaming employee, Grand Casino Mille Lacs (GCML) or Grand Casino Hinckley (GCH) regular full-time or part-time employee when the individual resigns from the MLCV, GCML or GCH and accepts employment with the Band government as long as the transfer is within two (2) weeks from when the offer of employment is made and there is no break in employment.

The transferred individual must have been in his or her MLCV, GCML or GCH job at least six (6) months. The individuals time worked will count toward a subsequent probationary period with the new employment position.

DRUGS AND ALCOHOL

A. General Application

The Mille Lacs Band of Ojibwe is committed to providing a work environment free from the effects of alcohol, cannabis and illegal drugs and to provide employees who abuse alcohol or use illegal drugs the opportunity for rehabilitation.

The Band understands that recreational marijuana use was legalized May 30, 2023 and now Minnesota is the 23rd state to allow for medical and recreational cannabis use. This goes into effect August 1, 2023. Nevertheless, it remains illegal at the Federal level and certain "safety sensitive" employment may have prohibitions/restrictions on cannabis use. Applicants required by federal law, grant requirements; safety sensitive positions "identified by MLBO Human Resources via the Administration Policy Board process, applicants for jobs shall be screened for marijuana as a condition for employment.

The possession and use of cannabis during work hours and, when an employee is on-site or in a company vehicle, is prohibited and subject to discipline.

Cannabis testing is allowed if on-the-job cannabis use is reasonably suspected to be the cause of a violation of MLBO policy or law.

Consistent with this philosophy, the Mille Lacs Band hereby implements this Drug and Alcohol Testing Policy for all applicants for employment and for all employees. The Mille Lacs Band has also elected to incorporate by reference the Federal Highway Administration's Controlled Substance and Alcohol Use and Testing Act's regulations (49 C.F.R. Part 382 *et seq*.), the Commercial Driver's License Standards (49 C.F.R. Part 383 *et seq*.), and the Office of the Secretary of Transportation Procedures for Transportation Workplace Drug Testing Programs (49 C.F.R. Part 40 *et seq*.), and MCL 333.7101 to 333.7545. Where sections of this policy conflict with these federal and state regulations, this policy controls.

Any individual who receives an offer of employment shall be required to submit to a drug and alcohol test as a condition of obtaining employment if the "safety sensitive" position requires testing per Band or Federal law and policies. Human Resources reserves the right to designate a position as a "safety sensitive" position per the Administrative Policy Board Process. Testing must be in accordance with the rules and regulations of the Mille Lacs Band.

Violations of this policy will lead to disciplinary action, up to and including immediate termination of employment and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences. Any employee responsible for implementing the Mille Lacs Band Drug and Alcohol policy

will be expected to conform to the confidentiality standards as well as perform all actions without bias towards any employee.

To inform employees about important provisions of this policy, the Mille Lacs Band has established a drug-free awareness program. The program provides information on the dangers and effects of substance abuse in the workplace, resources available to employees and consequences for violations of this policy.

Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program (EAP). They may also wish to discuss these matters with their supervisor or the HR Labor - Employee Relations Specialist to receive assistance or referrals to appropriate resources in the community.

Employees with drug or alcohol problems that have not resulted in and are not the immediate subject of disciplinary actions, may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the Mille Lacs Band's health insurance benefit coverage. Leave may be granted if the employee agrees to abstain from use of all problem substances, abide by all Mille Lacs Band policies, rules and prohibitions relating to conduct in the workplace and is contingent on whether or not the leave will cause the Mille Lacs Band any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify the Mille Lacs Band of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five business days of the conviction.

Employees with questions about this policy or issues related to drug or alcohol use in the workplace should voice their concerns to their supervisor or the HR Labor-Employee Relations Specialist without fear of reprisal.

B.

DEFINITIONS:

Alcohol: Ethyl alcohol

Confirmatory Test: A test used to confirm the presence of a drug or alcohol in a specific urine or body substance. This is a second analytical procedure, which is independent of the initial test and which uses a different technique and chemical principle from that of the initial test to ensure reliability and accuracy. The sample of the confirmatory test will be drawn from the same sample originally supplied by the employee.

Drug: A controlled substance as defined in Federal statutes, which is either not prescribed by a licensed health care provider or is used other than in the prescribed manner. Excluding the legalization of Cannabis in the State of Minnesota.

Drug and Alcohol Testing: Analysis of urine or a body substance specimen, for the purpose of measuring the presence or absence of drugs, alcohol or their metabolites in the sample tested.

Initial Test: An immunoassay screen test which eliminates urine or body substance specimens that are negative for the presence of drugs.

Medical Review Officer: A licensed physician responsible for receiving laboratory results generated by the Mille Lacs Band's drug and alcohol testing program, who has knowledge of substance disorders and has appropriate medical training to interpret and evaluate an individual's positive test result, together with their medical history and any other relevant biomedical information. The MRO also assists in deciding whether to permit an employee to return to duty after receiving a positive test result.

Positive Test Result: A urine or body substance specimen that has undergone an initial test and an evaluation by the MRO who has ruled out a legitimate reason for the use of alcohol or drugs. The test finding registers a presence of alcohol or drugs or their metabolites in levels at or above threshold detection levels. The presence of alcohol or drugs at or above the following levels shall be considered a positive test result.

Drug or Alcohol

	Initial Screening .02%	Confirmatory Test.02%
Amphetamine	1000 ng/ml	500 ng/ml
Barbiturates	300 ng/ml	200 ng/ml
Cocaine	300 ng/ml	150 ng/ml
THC	50 ng/ml	15 ng/ml
Ethanol	20 mg/dl	20 mg/dl
Opiates	2000 ng/ml	2000 ng/ml
PCP	25 ng/ml	25 ng/ml

Reasonable Suspicion: A basis for forming a reasonable belief based on specific facts and rational inferences drawn from those facts. This standard does not require that all supervisors or even a majority of supervisors would reach the same conclusion. It only requires that it is not unreasonable for a given supervisor to form the belief that they did.

Under the Influence: Having the presence of alcohol or other drugs at or above the level of a positive test result as defined above, under "Positive Test Result."

Huffing: To inhale the vapors or fumes of a chemical (such as glue) in order to become intoxicated.

Safety Sensitive Positions: Operators of machinery, positions with federal requirements and Band owned vehicles; employees working with children, people with disabilities and

elders. This is not an exhaustive list and HR reserves the right to designate a position as "safety sensitive" via the Administrative Policy Board process.

C. Work Rule on Drugs

The possession, use, sale, or transfer of controlled substances or the improper use of other drugs during working hours or on Band property or job sites is prohibited. An employee is not permitted to report to work or operate vehicles, machinery, or equipment while under the influence of any drug or controlled substance that could adversely affect performance. Employees who violate this work rule are subject to disciplinary action up to and including termination.

Employees who are under a physician's care, and who are taking prescribed controlled substances including but not that could affect performance, should report this treatment to their supervisor. Medications that contain alcohol or other mood altering chemicals are not permitted during working hours or any time within 8 hours prior to the start of a shift. This information is important to the Band to ensure that safety and efficiency are maintained.

Employees failing to report and whose performance, in the opinion of their supervisor, is adversely affected by his/her taking prescribed controlled substances are subject to disciplinary action up to and including termination.

D. Work Rule on Alcohol and Cannabis Use

Consumption of alcohol and/or Cannabis use that interferes with work place performance will not be tolerated. The possession, use, sale, distribution, or transfer of alcoholic beverages and/or Cannabis on Band property or job sites is prohibited. Also, an employee is not permitted to report to work or operate vehicles, machinery, or equipment while under the influence of either substance. An employee will be considered to be under the influence when consumption of alcohol or Cannabis has impaired or is likely to impair the employee's job performance and it is the judgment of his/her supervisor using a reasonable suspicion standard that an employee is impaired. Band policy requires disciplinary action up to and including termination for any employee who uses alcohol or Cannabis while at work. However, this policy does not prohibit an employee from seeking medical care or rehabilitation because of substance abuse.

E. Drug and/or Alcohol Testing

The Mille Lacs Band has adopted the Drug Free Workplace law and is committed to providing a safe, efficient and productive work environment for all employees. Using or being under the influence of drugs (or alcohol) on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, employees may be asked to provide random body substance samples (including, but not limited to urine, hair sample and/or blood through the use of swab or other type of test) to determine the presence of illicit or illegal use of drugs (and alcohol). Employees have the right to refuse testing, however, refusal to submit to drug and/or alcohol testing may result in disciplinary action, up to and including termination of employment.

The Employee Assistance Program (EAP) provides confidential counseling and referral services to eligible employees for assistance with drug (and/or alcohol) abuse or addiction problems. It is the employee's responsibility to seek assistance from the EAP prior to reaching a point where his/her judgment, performance or behavior has led to imminent disciplinary action. Participation in the EAP after the disciplinary process has begun may not preclude disciplinary action, up to and including termination of employment.

Copies of the drug testing policy are provided to all employees. Employees will be asked to sign an acknowledgement form indicating that they have received a copy of the drug testing policy. Questions concerning this policy or its administration should be directed to the HR Labor-Employee Relations Specialist.

Employees who voluntarily seek help for their chemical dependency will be permitted to do so in a confidential manner. (See Treatment)

If an employee is concerned about the drug (or alcohol) use or abuse by a fellow employee or of drug trafficking, or of safety or job performance as it relates to another employee's drug or alcohol use or abuse (including Supervisors, Managers, Directors or Commissioners), they should report these concerns confidentially to the Human Resources Director and to the employee's supervisor. There shall be no repercussions to any employee who reports such concerns about a fellow employee.

F. Pre-Employment

Applicants selected for hire will be required to submit to a drug and alcohol test so long as the position is deemed "safety sensitive" through the Administrative Policy Board processes. The offer to hire is conditional upon passing the drug and alcohol test. The applicants must consent to the test by signing a release. The applicant may refuse to submit to the test, however, such refusal will result in the conditional job offer being withdrawn. If the applicant fails the test, they will not be hired for the position.

An applicant who fails the pre-employment drug and alcohol test will not be eligible for employment (short-term, permanent or on-call) with the Mille Lacs Band until cleared

through the Human Resources office. Applicants cannot apply for posted positions for 30 days after a confirmed failed pre-employment drug and alcohol test. Both employees and job applicants offered employment have the right to explain positive test results on a confirmatory test and to request and pay for a confirmatory re-test.

Any employee who is offered employment will be scheduled for a pre-employment test. Testing Procedure:

1. A Human Resources designee must schedule the individual for pre-employment testing at the appropriate testing agency or may conduct swab testing on-site. A second and final testing time may be scheduled if the individual fails to appear or calls to reschedule.
2. If an employee does not start immediately or has a lapse in service longer than thirty (30) days they will need to be retested.

G. <u>Other Employment Testing</u>

1. <u>Additionally, the Mille Lacs Band reserves the right to administer a single annual drug and alcohol test to existing employees within the defined scope of this policy</u>.

2. Employees engaged in safety-sensitive positions, deemed so through the Administrative Policy Board processes, (for example, operators of machinery, equipment and Band owned vehicles; employees working with children, people with disabilities and elders) are subject to random testing. Twenty percent of employees covered by this subdivision are subject to drug tests each year. The tests must be conducted periodically over a one (1) year calendar period. Individuals failing to appear for scheduled testing under this section are subject to discipline. Employees in safety-sensitive positions, deemed so through the Administrative Policy Board processes who test positive for alcohol or any controlled substance, including prescription medication for which the employee does not have a prescription, will be terminated immediately.

3. An employee will be required to undergo a drug and alcohol test when, in the opinion of their immediate supervisor, there is reasonable suspicion that the employee is under the influence of drugs and/or alcohol, or that the employee has used, possessed, sold or transferred drugs and/or alcohol while on Band property or while operating vehicles or machinery as part of his/her job. The employee's supervisor must suspend the employee without pay and make arrangements to transport the employee to and from the testing facility designated by the Mille Lacs Band for a "reasonable suspicion" drug test.

4. The <u>other circumstances</u> under which an employee is required to undergo a drug and alcohol test are as follows:

a. The employee has caused a work-related accident, or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

b. The employee has sustained a personal injury as defined under Minnesota's Worker's Compensation Statutes or has caused another employee to sustain a personal injury.

c. An employee who previously has been required to undergo a chemical dependency treatment program may be tested, without prior notice, during the evaluation or treatment period and for up to twelve (12) months as stated in Section O. below.

H. Portable Breathalyzer Test

Under this policy, employees may be required to take a portable breathalyzer test (PBT) when requested to do so by Band management.[3] If an employee is suspected to be under the influence of alcohol, he/she will be asked to take the PBT. Band management, or its designee, may administer the PBT under the following guidelines, and the Breath Alcohol Testing form must be used and forwarded to the Human Resources Director.

1. Alcohol testing must be conducted in a location that affords visual and aural privacy to the individual being tested, sufficient to prevent unauthorized persons from seeing or hearing the results. All necessary equipment, personnel, and materials for breath testing must be provided at the location where testing is conducted.

2. The Band may use a mobile collection facility that meets the requirements of paragraph 1 of this section.

3. No unauthorized persons may be permitted access to the testing location when the PBT remains unsecured or, in order to prevent such persons from seeing or hearing a testing result, or at any time when testing is being conducted.

4. The PBT testing administrator may supervise only one employee's use of the PBT at a time.

5. If the employee admits to being under the influence of alcohol, or refuses the PBT, he/she will be suspended for three (3) days. The employee may be terminated upon a second incident involving either an admission of being under the influence or a refusal to take the PBT.

[3] Band management is defined as supervisors, directors, commissioners, elected officials or Human Resources Director.

I. Consequences of Test Results

The initial test will provide data concerning any presence of general classes of drugs, alcohol, or their metabolites. If such an initial screening test shows a positive result, the sample will be given a second confirmatory test. An offer of employment made contingent upon passing a drug and alcohol test will not be withdrawn based on the positive results of an initial screening which has NOT been verified by a confirmatory test.

The employee or job applicant will be informed of their test results and their right to obtain a copy of the results in writing, from the department collecting the results, within three (3) working days after the receipt of the written determination from the testing laboratory. The employee or job applicant has the right to request and receive a copy of the test result report on any drug and alcohol test. The employee or job applicant may, at their expense, obtain a confirmatory retest, by a qualified laboratory of the individual's choice, **OF THE ORIGINAL SAMPLE** used in producing a positive confirmatory test result, provided that the individual notifies Human Resources of his/her intention to do so within five (5) working days after his/her receipt of the positive confirmatory test result by Human Resources.

In the event of a confirmatory test, the testing laboratory may contact the tested individual for information as to a possible innocent explanation of the positive test. All employees or job applicants who receive a positive test result will be given written notice of their right to explain the positive results and right to obtain a confirmatory re-test.

Where a positive confirmatory test result is the first positive test result while employed for the Mille Lacs Band, and the employee offers no reasonable explanation or proof of legitimate use, an existing employee will be afforded an opportunity to participate in an appropriate drug and/or alcohol counseling and/or rehabilitation program at the employee's expense. Such opportunity may only be provided if a certified chemical use counselor, or a physician trained in the diagnosis and treatment of chemical dependency, believes that the counseling/rehabilitation is an appropriate course of action.

If an employee refuses to participate in the counseling or rehabilitation program, fails to successfully complete a program as evidenced by withdrawal from a program before its completion, or has a positive test result after the program, the employee may be disciplined up to and including termination.

If an applicant or employee test is too diluted to confirm a true result due to various reasons, including recent exercise or excessive intake of liquid, the applicant or employee will be asked to return within 24 hours for re-testing if the Lab reports that it cannot confirm a true test. After second dilute, a job offer could be rescinded or the individual's job could be terminated.

J. Refusal of Job Applicant or Employee to Submit to Testing

Before requesting an employee or job applicant to undergo drug/alcohol testing, the Mille Lacs Band will ask the employee or job applicant to complete a form acknowledging that he/she has seen the Drug and Alcohol Testing Policy, and understands it.

Any employee or job applicant may refuse to submit to a drug/alcohol screening that the Band has requested but, upon such refusal, the Band may withdraw its offer of employment to a job applicant, or subject an existing employee to disciplinary action up to and including discharge.

If an employee or job applicant is found to have adulterated a test sample, or in any way to have tampered with the testing process, the Mille Lacs Band may terminate an existing employee, or may not offer employment to a job applicant.

All adulterated tests must be treated as a refusal of testing.

K. Reasonable Suspicion

An employee who exhibits behavior which creates a reasonable suspicion of being under the influence of alcohol or other drugs at work will be asked to submit to a test to confirm or refute such suspicions. The employee may be suspended without pay pending the outcome of a confirmatory test or a confirmatory re-test elected by the employee. The employee will not be permitted to return to work until a negative test result has been received, with the following exception for monitoring of THC levels as stated below.

Any employee who has been suspended solely on the basis of suspected drug and/or alcohol use where the Band has chosen to test the employee for drug/alcohol use will be reinstated with back pay if the outcome of the initial or confirmatory test or any requested confirmatory re-test is negative.

Employees suspended for the use of alcohol or other drugs whose initial and confirmatory test, and any confirmatory re-test, is positive, will be permitted to return to work when they can provide evidence of completion of an assessment and completion of treatment, if recommended, and a negative drug test. The negative drug test must be received within 30 days of the initial positive test or the last day of treatment, whichever is later, or it will assumed that the employee has voluntarily resigned their position, with the following exception: Individuals whose drug screens report excessively high THC levels will be given up to 3 months rather than 30 days to produce a negative drug screen. Additional monitoring of these individuals will be performed by conducting drug screens twice per month. The drug screen results must support a steadily declining THC level. If the THC level increases, this will be considered a positive test and the employee will be terminated.

Any employee who notices another employee demonstrating unusual behavior patterns which appear to be drug or alcohol related must report the observed behavior to the supervisor, HR Labor-Employee Relations Specialist or Human Resources Director.

L. Reasonable Suspicion for Possession

The Mille Lacs Band of Ojibwe reserves the right to utilize the assistance of law enforcement personnel in the cases of trafficking, possessing or using of illegal substance on Band property.

M. General information about Drug and Alcohol Testing

Drug and alcohol testing will be conducted only under circumstances described in this policy.

The Mille Lacs Band of Ojibwe will pay the cost of the initial screening and confirmatory test.

No employee or job applicant will be tested for alcohol or other drugs under this policy without their consent. An employee or job applicant has the right to refuse to submit to a drug or alcohol test. However, a refusal will be considered to be a positive test result.

An employee or job applicant who adulterates or attempts to adulterate a specimen will be considered to have a positive test result and will be subject to the consequences of a positive test.

An employee or job applicant who does not produce a viable sample within the allowed waiting period of three (3) hours will be considered to have a positive test result and will be subject to the consequences of a positive test.

When specific gravity and creatinine levels are below accepted levels, the employee or candidate must re-test. The Mille Lacs Band will pay for this mandatory re-test.

N. Medical Review Officer

All positive test results will be reviewed by a Medical Review Officer (MRO). An employee whose initial test is positive has the option of being interviewed by the MRO, who will determine whether the positive test may have resulted from legally prescribed medications. The MRO will review all medical records made available by the employee to rule out legitimate, prescribed drug use or other extenuating or explainable circumstances.

O. Treatment

An employee who voluntarily seeks treatment of a chemical dependency problem before they are subject to the drug and alcohol-testing program will be placed on a medical leave of absence. If they do not qualify for a medical leave of absence, they must resign and then they will be eligible for rehire following successful treatment. Before that employee can return to work they must provide evidence of a negative drug test, with the exception for excessively high THC levels as stated above in Section J.

An employee enrolled in an outpatient treatment program may continue to work if their primary counselor provides to the Human Resource Director a written notice that the employee is permitted to resume duties. A release of information form signed by the employee permitting the release of treatment records and information must be on file in the Human Resources Office. Any restrictions and/or medications must be documented by the primary counselor in writing and the Human Resource Director, in consultation with the MRO, the employee's immediate supervisor and the primary counselor will decide if the employee will be permitted to return to work.

The Mille Lacs Band will make a reasonable effort to accommodate the schedule, work restrictions and other conditions of the outpatient treatment program, but makes no guarantee that all accommodations can be made.

An employee who is referred by the Mille Lacs Band to an inpatient or outpatient treatment program must sign a release of information form allowing the treatment center to provide attendance reports to the Human Resource Director. Failure to sign a release when requested will be considered a violation of the drug and alcohol policy and will result in termination.

Failure to comply with the requirements and regulations of the treatment program will result in termination. An employee who voluntarily leaves a program, or who is asked to leave a treatment program before completion, will be terminated.

Treatment will be provided to an employee through the company-approved health plan. Benefit levels will be as described in the health plan. Benefit plan procedures (pre-certification, network providers, etc.) must be followed in order to receive the maximum level of benefits. Treatment beyond that covered by the health insurance plan will be at the employee's expense.

P. Reinstatement Following Treatment

Verification of the completion of treatment and a negative drug test will enable the employee to return to work with no loss of benefits and no loss of seniority if on medical leave during treatment period.

Once an employee has completed treatment and returned to work they will be subject to periodic, unannounced, follow-up drug and alcohol testing for the next ***twelve***

(12) months of employment, measured from the date of their return to work. Follow up testing will be arranged by the Human Resource Director.

An employee who has returned to work following an admission of drug or alcohol use, or who had a positive test, who then fails any subsequent drug testing, will be terminated. Eligibility for re-hire will be consistent with the Mille Lacs Band Personnel Policy and Procedures Manual.

Any employee who was terminated for violating the drug and alcohol policy, refused to submit to testing, failed to complete treatment or has been ineligible for hire because of a previous positive test, may be rehired if he meets the following requirements:

1. Provide proof of mandatory assessment and completion of recommendations as noted by the assessor;
2. Successfully pass a drug and alcohol test; and
3. Agree to mandatory, unannounced testing for a period of ***twelve (12)*** months following re-hire.

Q. Confidentiality

All information regarding the results of an employee's drug test or drug and/or alcohol treatment will be kept in files separate from personnel files and will be held in the strictest confidence. Any persons responsible for the unauthorized release of this information relating to an employee's drug or alcohol use, testing results, discipline or any related matters will be subject to immediate termination for breach of confidentiality.

R. Use of this Policy

Employees on medical leave of absence under this policy will have their medical/dental insurance continued as if they were an active employee.

EMPLOYEE ASSISTANCE PROGRAM

The Mille Lacs Band cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees need professional assistance and advice.

Through the Employee Assistance Program (EAP), the Mille Lacs Band's HR Labor-Employee Relations Specialist provides free and confidential referral to professional counseling services for help in addressing issues such as: personal problems, alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is available to all eligible employees who are insured under the Band's health insurance program, and offers problem assessments, short-term counseling and referral to appropriate community and private services.

The EAP is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by you in writing. All counselors are guided by a professional code of ethics.

If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

Minor concerns can become major problems if you ignore them. No issue is too small or too large; a professional counselor is available to help you when you need it. Call the EAP to contact the Employee Relations Counselor.

WORKERS' COMPENSATION

Workers' Compensation Insurance

The Mille Lacs Band of Ojibwe provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury sustained in the course of employment that requires medical, surgical or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses must inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. Employees must submit to a post accident drug and alcohol test immediately after notifying their supervisor. In the event of a positive drug and alcohol test, the workers' compensation claim will be denied. In the event that an employee does not inform the supervisor immediately, the claim may be denied and disciplinary action may be taken.

Neither the Mille Lacs Band nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social or athletic activity sponsored by the Mille Lacs Band of Ojibwe.

Safety

The Mille Lacs Band has established a workplace safety policy to assist in providing a safe and healthy work environment for employees, customers and visitors. Human Resources is responsible for implementing, administering, monitoring and evaluating the safety policy. Its success depends on the alertness and personal commitment of all.

The Mille Lacs Band provides information to employees about workplace safety and health issues through workplace safety training and regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos or other written communications.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

Employees are expected to attend Human Resources safety training in their departments. Failure to attend such training may result in disciplinary action.

Accidents that result in injury, regardless of how insignificant the injury may appear, should immediately notify Human Resources and their immediate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

WORKPLACE VIOLENCE

The Mille Lacs Band of Ojibwe is committed to the prevention of workplace violence and to maintaining a safe work environment. All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," practical jokes or other conduct that may be dangerous to others. Firearms, weapons and other dangerous or hazardous devices or substances are strictly prohibited on Mille Lacs Band property without proper authorization.

Conduct that threatens, intimidates or coerces another employee, a customer or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, sexual orientation, religion, ethnic background, disability or any other characteristic protected by federal or state law.

Direct or indirect threats of violence or acts of violence must be reported immediately to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported immediately to a supervisor. The Mille Lacs Band will promptly and thoroughly investigate all reports of threats or acts of violence and of suspicious individuals or activities. Anyone deemed to be responsible for violent acts or threats or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

The Mille Lacs Band encourages employees to bring their disputes or differences with other employees to the attention of their supervisors. If the situation cannot be resolved at that level, employees should bring their disputes or differences to the department Commissioner (if the employee is in the Executive Branch), the Secretary-Treasurer or District Representative (if the employee is in the Legislative Branch), the Chief Justice (if the employee is in the Judicial Branch) or Human Resource Director before the situation escalates into potential violence. The Mille Lacs Band is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

EMERGENCY OR ADMINISTRATIVE CLOSINGS

Emergency/Weather Closing

There may be times when emergencies such as severe weather, fires or power failures disrupt Band operations. In extreme cases, emergencies may require the closing of an office or work facility. In the event that such an emergency occurs during nonworking hours, you may call the government center at 800-709-6445 to find out whether the building is closed. Or, local radio and/or television stations may be asked to broadcast notification of the closing.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid. When operations are not closed, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as annual leave.

Administrative Closing

There may be times the Commissioner of Administration exercises his/her discretion to close Band operations whether advance notice or effective upon such notice. In these instances employees will not be required to utilize annual or sick leave.

Non-exempt employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, non-exempt employees who work will receive regular pay for the hours when the operations are officially closed plus additional straight time pay for the hours worked. Exempt employees will not receive additional compensation for work performed when operations are closed.

Employees that are on previously approved Annual or Sick leave on the day of or at the time of the Administrative/Emergency closing will be required to utilize that time and will not be paid regular hours.

RETURN OF PROPERTY

Employees are responsible for all Mille Lacs Band property, materials or written information issued to them or in their possession or control. All Mille Lacs Band property must be returned by employees on or before their last day of work. The Mille Lacs Band may withhold from the employee's checks or final paycheck to defray the cost of any items that are not returned.

RESIGNATION

Resignation is a voluntary act initiated by the employee to terminate employment with the Mille Lacs Band. Although advance notice is not required, the Mille Lacs Band requests at least two (2) weeks' written notice of resignation from nonexempt employees and four (4) weeks' notice from exempt employees.

Prior to an employee's departure, Human Resources shall schedule an exit interview with the employee to discuss the reasons for the resignation and the effect of the resignation on benefits.

The Band reserves the right to accept the immediate resignation of employee at any time after the employee has given such notice, provided that an exit interview is properly scheduled. Upon acceptance of resignation the Band shall pay any remaining days of the Notice period that they were not allowed to work.

REEMPLOYMENT

Former employees who left the Band in good standing may be considered for re-employment. Former employees who resigned without written notice or who were dismissed for cause may not be considered for re-employment until after a 90-day period. A former employee who is re-employed will be considered a new employee from the date of re-employment unless the break in service is less than thirty days, in which case the employee will retain accumulated seniority.

REFERENCES

Upon receipt, Human Resources will provide a written response to those requests for employment references submitted in writing. Human Resources will typically respond to such inquiries to confirm dates of employment, wage rates and position(s) held. No other employment information will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

APPENDIX A

RULES AND PROCEDURES GOVERNING APPEALS TO THE COURT OF CENTRAL JURISDICTION FROM GRIEVANCE COMMITTEE DECISIONS IN CASES INVOLVING GRIEVANCES OF TERMINATION DECISIONS

The policy on grievance and appeal of disciplinary action provides that, if an employee believes his or her grievance of a termination decision has not been adequately resolved by the Grievance Committee, he or she may appeal to the Court of Central Jurisdiction within ten (10) business days of his/her receipt of the written decision of the Grievance Committee. This appendix sets forth the rules and procedures governing such appeals.

1. Filing – The employee shall file a Notice of Appeal with the Clerk of the District Court of the Court of Central Jurisdiction and serve the Notice of Appeal on the Band, by and through the Office of Solicitor General and the Human Resources Director, within ten (10) business days of the date of mailing or personal delivery of the Grievance Committee's decision.

2. Content of the Notice of Appeal – The employee's Notice of Appeal shall:

   a. State the employee's name, his or her dates of employment with the Band, the position from which he or she was terminated, and the date of termination;
   b. State the name and title of the supervisor who made the termination decision;
   c. Attach a copy of the termination letter or notice;
   d. State the date on which the employee made a written request for a hearing before the Grievance Committee and attach a copy of the request;
   e. State the date and substance of the Grievance Committee's decision and attach a copy of the decision;
   f. Request a transcript of the proceedings before the Grievance Committee if the employee desires to include the transcript in the record on appeal (see paragraph 6 below);
   g. State whether the employee seeks to supplement the record on appeal and, if so, identify the evidence the employee seeks to add to the record and the grounds for doing so (see paragraph 7 below);
   h. State the reason(s) why the Grievance Committee's decision is not consistent with the Band's Personnel Policy; and
   i. State the relief being sought.

3. Filing Fee – The employee shall pay a filing fee of $25 to the Clerk of the District Court, provided that, if the employee cannot afford the filing fee, the employee may file a petition with the Court to proceed *in forma pauperis* and the District Court may waive the filing fee requirement.

4. Answer - Within ten (10) business days of receiving the employee's Notice of Appeal, the Office of Solicitor General shall file with the Clerk of the District Court and serve on the employee and the Human Resources Director an Answer to the Notice of Appeal on behalf of the Band. The Answer shall:

   a. Respond to the Notice of Appeal with specificity;
   b. Include a request for a transcript of the proceedings before the Grievance Committee if the Band desires to include the transcript in the record on appeal (see paragraph 6 below);
   c. State whether the Band seeks to supplement the record on appeal and, if so, identify the evidence the Band seeks to add to the record and the grounds for doing so (see paragraph 7 below); and
   d. Include any request for relief on behalf of the Band.

5. Preparation of Transcript – If either the employee (in the Notice of Appeal) or the Band (in the Answer) requests a transcript of the proceedings before the Grievance Committee, the Human Resources Director shall arrange for the preparation of the transcript and shall file it with the Clerk of the District Court and serve it on the parties within five (5) days of receipt of the Notice of Appeal or Answer.

6. Record on Appeal -- The record on appeal shall consist of: (a) the termination letter or notice; (b) the employee's written request for a hearing before the Grievance Committee; (c) all documents and exhibits submitted to the Grievance Committee; (d) if requested by either party, the transcript of the proceedings before the Grievance Committee; and (e) the written decision of the Grievance Committee. Except as provided in paragraph 7 below, the District Court shall not consider any evidence that was not presented at the hearing before the Grievance Committee.

7. Supplementation of Record on Appeal -- The District Court may supplement the record on appeal upon the request of the employee (in the Notice of Appeal) or the Band (in the Answer), but only if the requesting party demonstrates that: (a) it is likely that the evidence the party proposes to add to the record would have changed the Grievance Committee's decision and there was good cause for not submitting the evidence to the Grievance Committee; or (b) the evidence the party proposes to add to the record will show that it is likely that evidence submitted at the Grievance Committee hearing was false and that it is likely that the false evidence had an effect on the Grievance Committee's decision. Unless the District Court requests further briefing on the matter, it shall determine whether to supplement the record on appeal within five (5) business days after the filing of the Answer. If the District Court determines that the record on appeal may be supplemented with new evidence, and if it determines that a hearing is necessary for the presentation of such evidence, it shall hold a hearing at which the evidence may be presented within ten (10) business days of its determination to supplement the record.

8. Briefing and Argument on the Merits – Within five (5) business days of the filing of the Answer, the District Court shall establish a schedule for submission of written briefs on the appeal. The District Court may, in its discretion, decide the appeal with or without oral argument. If the District Court decides to hear oral argument, it may combine the oral argument with an evidentiary hearing held under paragraph 7 above. Except as otherwise agreed by the parties or in unusual circumstances, the District Court shall issue its written decision on the appeal within thirty (30) business days of the filing of the employee's Notice of Appeal.

9. Scope of Review and Relief – The Court shall review and consider the record on appeal and the briefs and argument (if any) of the parties. The Court shall give considerable due deference to the decision of the Grievance Committee. If the Court overturns the Grievance Committee's decision, it may order the following relief to the extent such relief is consistent with the Band's Personnel Policy:

    a. Reinstatement of the employee to his/her last-held position. If the Court orders the reinstatement of the employee, it shall serve its order on the Commissioner of the appropriate Department within the Executive Branch if the employee was employed in the Executive Branch, on the Secretary-Treasurer if the employee was employed in the Legislative Branch, and on the Chief Justice if the employee was employed in the Judicial Branch, as well as on the Office of Solicitor General and the Director of Human Resources.
    b. Back pay for the period from the date of the employee's termination until the date of his/her reinstatement. In no event shall back pay exceed twelve (12) weeks of the employee's salary.

10. Appeal of District Court's Decision – Either party may appeal the District Court's decision to the Court of Appeals of the Court of Central Jurisdiction, in accordance with the generally applicable rules governing appeals from decisions of the District Court. The decision of the Court of Appeals shall be final.

11. Confidentiality and Public Access – Because of the sensitivity of employment matters, all papers filed and served in the District Court or in the Court of Appeals in a case subject to these rules shall be considered confidential and shall not be subject to public disclosure unless court ordered. All court hearings in the case shall be closed to the public, and all parties to the case shall take reasonable steps to prevent the disclosure of confidential information unless court ordered.

APPENDIX B

Example of Time With Child Form:

TIME WITH CHILD CARD*

(PRINT)

_____ was here to spend time with his/her

Child: _____ for _____ (activity)

Arrival Time: _____ Departure Time: _____

School Name: _____

On this _____ day of _____

Verified by: _____

(School Official)

*This information will be used to determine final eligibility for Time With Child hours.

History of Amendments:

1. **2-3-10 Revision – p. 35 (Smoking), added "or Community Center" to end of sentence in second paragraph.**
2. **2-3-10 Revision – p. 35 (Employee Benefits), added "3 days for the death of each family member as defined further in the Funeral Leave section, page 50" after Bereavement Leave.**
3. **2-3-10 Revision – p. 41 (Long Term Disability), replaced last word "supervisor" to read "department head or Commissioner."**
4. **2-3-10 Revision – p. 43 (Annual Leave), last paragraph, deleted everything after "Employees may not go into a deficit on annual leave." Added "If an employee has exhausted all accrued annual leave, the employee has the option to make a request for unpaid leave and request approval of their supervisor."**
5. **2-3-10 Revision – p. 47 (Sick Leave), deleted sentence before last paragraph in section and added "An employee with SES status may donate his/her sick leave hours to another employee."**
6. **2-3-10 Revision – p. 50 (Funeral Leave), deleted "in-laws" in second paragraph and added "spouse's parents and siblings."**
7. **2-3-10 Revision – p. 77 (Posted Positions), changed last sentence in third paragraph to read "Employees who have a written warning on file within 90 days prior to application or are on probation or suspension are not eligible to apply for posted jobs."**
8. **2-3-10 Revision – p. 80 (Drugs and Alcohol), changed first sentence in second paragraph to read "Any individual who receives an offer of employment or will receive a payroll check are required to submit to a drug and alcohol test as a condition of obtaining employment."**
9. **3-19-10 Revision – p. 80 (Drugs and Alcohol), deleted "or will receive a payroll check" in second paragraph.**
10. **10-3-11 Revision – p. 5 (Introductory Statement), deleted Nay-Ah-Shing school staff and added MLBO Policy Department as exempt. Added Section 4.**
11. **10-3-11 Revision – p. 7 (Organization Description), amended wording in Legislative Branch section.**
12. **10-3-11 Revision – p. 8 (Employee Acknowledgement Form), replaced "handbook" with "manual." Amended wording in sentence.**
13. **10-3-11 Revision – p. 9 (Equal Employment Opportunity), added phrase regarding Indian preference.**
14. **10-3-11 Revision – p. 10 (American Indian Preference), added phrase beginning second paragraph, "Assuming that applicants meet the minimum job requirements."**
15. **10-3-11 Revision - p. 13 (Employment Classification), amended example of benefits in Part-Time section; added sentence in Probationary section; and amended last sentence in On-Call and Labor Pool section.**
16. **10-3-11 Revision – p. 16 (Hiring of Relatives), replaced "relatives" with "family members" throughout; added last sentence in fourth paragraph.**
17. **10-3-11 Revision – p. 17 (Conflicts of Interest), deleted "partner."**
18. **10-3-11 Revision – p. 18 (Outside Employment), added language to prohibit employees from working two full-time jobs with the MLBO, including an entity of the Band.**
19. **10-3-11 Amendment – p. 19 (Official Employee Address and Legal Notice), new policy added.**
20. **10-3-11 Revision – p. 21 (Business Travel Expenses), added "including non-discriminatory state taxes" in third paragraph; clarified some of the reimbursement of expense language.**
21. **10-3-11 Revision – p. 26 (Workplace Monitoring), revised sentence in second paragraph.**

22. **10-3-11 Revision – p. 27 (Automobile Usage and Maintenance), deleted "perform required maintenance" in first paragraph. Moved Accident Reporting section here (p. 28).**
23. **10-3-11 Revision – p. 29 (Employee Conduct and Work Rules), amended sentence "Examples of infractions of rules of conduct that may result in disciplinary action include, but are not limited to, the following:"**
24. **10-3-11 Revision – p. 31 (Unauthorized Solicitation), added "unless prior authorization from the Chief Executive and/or Commissioner of Administration is received."**
25. **10-3-11 Revision – p. 32 (Nondisclosure of Confidential Information), added "non-public" in first paragraph, added the word "confidential" and "medical or patient data otherwise protected by HIPAA or other applicable data privacy laws."**
26. **10-3-11 Revision – p. 33 (Attendance and Punctuality), added "must" notify in second paragraph; added last two sentence in third paragraph.**
27. **10-3-11 Revision – p. 34 (Professional Appearance and Conduct), added "the following" before examples of casual business wear; added "but are not limited to, the following" before examples of inappropriate clothing.**
28. **10-3-11 Revision – p. 36 (Smoking), changed second paragraph.**
29. **10-3-11 Revision – p. 37 (Employee Benefits), replaced "cultural leave" with "Anishinaabe Leave;" added "(4 hours per week)" after Education Leave.**
30. **10-3-11 Revision – p. 43 (401(k) Retirement Savings Plan), added "any applicable" before federal and state tax withholdings in fourth paragraph.**
31. **10-3-11 Revision – p. 44 (Absence and Leave), added phrase beginning "Commissioner (if the employee is employed in the Executive Branch) and ending with "in the Judicial Branch" in the fifth paragraph. Added "as defined in 6 MLBSA § 1102(h)" in the Note.**
32. **10-3-11 Revision – p. 46 (Time with Child and Illness of Child), added "grandchild;" added last sentence in Time with Child paragraph.**
33. **10-3-11 Revision – p. 47 (Holidays), added "as defined in 6 MLBSA § 1102(h)" in the Note.**
34. **10-3-11 Revision – p. 48-49 (Sick Leave, amended last sentence in seventh paragraph as "A Senior Executive Staff (SES) employee, as defined in 6 MLBSA § 1102(h), may donate his/her sick leave hours to another employee."**
35. **10-3-11 Revision – p. 51 (Funeral Leave), deleted "partner."**
36. **10-3-11 Revision – p. 53 (Medical Leave), added "as described in the next section of this Manual" in the fifth paragraph; amended last sentence in that paragraph. Defined equivalent rate of pay in ninth paragraph. Added last two sentences in tenth paragraph regarding notice.**
37. **10-3-11 Revision – p. 55 (Family Leave), added "consecutive" before "year of service" in second paragraph. Defined equivalent rate of pay in eighth paragraph. Added last two sentences in last paragraph regarding notice.**
38. **10-3-11 Revision – p. 57 (Personal Leave), added "consecutive" before "year of service in first paragraph. Add last sentence in first paragraph. Defined equivalent rate of pay in sixth paragraph; added "in the same or an equivalent position, or in any position" in same paragraph. Added last two sentences in last paragraph regarding notice.**
39. **10-3-11 Revision – p. 59 (Military Leave), amended first sentence in seventh paragraph; defined equivalent rate of pay in same paragraph.**
40. **10-3-11 Revision – p. 61 (Anishinaabe Leave), replaced "Cultural Leave" with "Anishinaabe Leave." Amended types of leave that can be used, including community service leave. Added fifth paragraph regarding helping at traditional funerals.**

41. **10-3-11 Revision – p. 62 (Community Affairs Leave and Participation), added usage of such leave for Anishinaabe Leave. Added "prior to public announcement or prior to filing for public office" in Employees Filing for Political Office section.**
42. **10-3-11 Revision – p. 63 (Pay Policies), replaced "Finance Officer" with "Commissioner of Finance."**
43. **10-3-11 Revision – p. 68 (Harassment and Discrimination), replaced "submission to a rejection of such conduct" under sexual harassment with "such conduct."**
44. **10-3-11 Revision – p. 69 (Performance Management), amended sentence to require performance evaluations.**
45. **10-3-11 Revision – p. 70 (Progressive Discipline), added "Opportunity to Correct Job Performance" under heading; added "See Summary Dismissal section in this Manual" in second paragraph; and added "and the Human Resources Director, if they deem…" in last sentence of paragraph. Changed retention of verbal warning from one year to six months; amended first sentence in Written Warning section; and amended requirement on page 71.**
46. **10-3-11 Revision – p. 72 (Grievance Procedure), added "Employee's Right to Grieve" under heading; added "If the employee's supervisor is a commissioner or elected official, the employee should contact the Human Resources Director to arrange a meeting." Added "business" before days.**
47. **10-3-11 Revision – p 73 (Grievance and Appeal to Disciplinary Action), added "business" before days; added "to the Grievance Committee" in last sentence of second paragraph; added third paragraph regarding suspended employee; added "of date of mailing or personal delivery" in Level Two and Level Three. Added "the employee bears the burden of proof on appeal" and other requirements to Level Three.**
48. **10-3-11 Revision – p. 75 (Termination), added sentence beginning, "However, a regular full-time employee….."**
49. **10-3-11 Revision – p. 76 (Summary Dismissal), reworded first paragraph; added (N) to causes.**
50. **10-3-11 Revision – p. 78 (Termination for Just Cause), reworded beginning sentence.**
51. **10-3-11 Revision – p. 79 (Access to Personnel Files), added "according to the process outlined in this Personnel Policy Manual."**
52. **10-3-11 Revision – p. 80 (Promotion Advancement), added third paragraph; added last sentence of first paragraph under Employee Transfers; amended second paragraph of this section.**
53. **10-3-11 Revision – p. 81 (Tuition Reimbursement & Assistance), added footnote.**
54. **10-3-11 Revision – p. 83 (Drugs and Alcohol), replaced "will be required" with "may be required" in second paragraph. Replaced "for a government contract" with "pursuant to a government contract." Page 84, deleted "with the exception of medications lawfully prescribed to the employee" under <u>Work Rule on Drugs</u>; deleted "employees failing to make such a report" and replaced with "employees failing to report." Added word "to" after "up" under <u>Work Rule on Alcohol</u>. Page 85, added "including, but not limited to urine, hair sample and/or blood through the use of swab or other type of test) under <u>Drugs and/or Alcohol Testing</u>; amended first sentence4 under <u>Pre-Employment</u> as follows: "Applicants selected for hire within safety sensitive positions will be required to submit to a drug and alcohol test." Page 86, amended first paragraph; added "or may conduct swab testing on-site" in number 1 of this section. Under <u>Other Employment Testing</u>, delete last sentence of section 1. Added last two sentences to number 2 of this section. Page 87, replaced two years with twelve months in c. at top of page. Replaced "will be terminated" in number 5 of <u>Portable Breathalyzer Test</u> with "may be terminated." Page 88, amended wording in third paragraph on this page to**

"and the employee offers no reasonable explanation or proof of legitimate use…." Page 89, under Reasonable Suspicion, amended first sentence and reworded third paragraph. Replaced "that appear" with "which appear" in last paragraph of this section. Page 92, added "or body substance" under Confirmatory Test; added "or a body substance specimen" under Drug and Alcohol Testing; added "or body substance" under Initial Test; added "or body substance" under Positive Test Results; amended table.

55. **10-3-11 Revision – p. 97 (Workplace Violence), replaced "should be reported" with "shall be reported immediately." Added wording regarding branches of government to last paragraph.**
56. **10-3-11 Revision – p. 100 (Resignation), added second paragraph regarding exit interview. Added third paragraph.**
57. **10-3-11 Amendment – p. 103 (Appendix A), new.**
58. **10-3-11 Amendment – p. 106 (Appendix B), new.**
59. **10-17-11 Amendment – p. 44, add "or District Representative."**
60. **10-17-11 Amendment – p. 57, delete "thirty (30)" and replace with "ninety (90)."**
61. **10-17-11 Amendment – p. 61, delete "attend" and replace with "go through" and add "prepare for" before Ceremonial Drum. Delete "two weeks" and replace with "eighty (80) hours." Add "District Representative, if he/she directly supervises the legislative employee."**
62. **10-17-11 Amendment – p. 76-, add "Endangerment of a child or vulnerable adult if employed in a position where he/she controls the environment."**
63. **10-17-11 Amendment – p. 78, add "(3) Any civil or criminal conviction that reduces employee's eligibility to perform his/her job."**
64. **10-17-11 Amendment – p. 97, add "or District Representative."**
65. **02-07-12 Amendment – p. 7, amended Executive Branch section and moved ahead of other branches.**
66. **02-07-12 Amendment – p. 10, added "assuming that applicants meet the minimum job requirements."**
67. **02-07-12 Amendment – p. 21, changed tip amount from "15%" to "18% of the total cost of a meal..."**
68. **02-07-12 Amendment – p. 67, added number 40 after "forty."**
69. **02-07-12 Amendment – p. 68, added "in writing" in first sentence of third paragraph.**
70. **02-07-12 Amendment – p. 70, deleted "for an indefinite period" at end of sentence in Level Two paragraph.**
71. **02-07-12 Amendment – p. 70, amended to move suspension language as first Level Three Option before termination option.**
72. **02-07-12 Amendment – p. 76, amended introductory paragraph to clarify that commission or conviction must occur while employed by the Band.**
73. **02-07-12 Amendment, p. 76, amended (1)(E) to delete wording after "vulnerable adult." Amended (1)(C) to add "work vehicle." Deleted (3)(A) "Intoxication on the job" so as not to conflict with Drug and Alcohol Policy. Amended (3)(B) to become new (A) and changed to "obtaining or providing alcohol to persons under the age of 21." Deleted (5)(M). Delete "personal" in (5)(N). Added new (5)(O) as "falsely reporting a crime." Renumbered (5)(N) and (5)(O) as (5)(M) and (5)(N).**
74. **02-07-12 Amendment – p. 78, amended (b)(4) to "insubordination e.g. not following chain of command; and added "but not limited to" on (c).**
75. **02-07-12 Amendment – p. 81, amended so as to require "three (3) full years of service" rather than one year.**

76. **02-07-12 Amendment – p. 84, amended second paragraph of B. <u>Work Rule on Drugs</u> merging second paragraph to become part of third paragraph for clarification purposes.**
77. **02-07-12 Amendment – p. 85, amended second paragraph to add "eligible" before "employees for assistance…." Delete "within safety sensitive positions" in first line of E. <u>Pre-Employment</u> section. Changed to "will" from "may" on first line, continuing Section E. from previous page.**
78. **02-07-12 Amendment – p. 94, added "eligible" in front of "employees" as well as "who are insured under the Band's health insurance program" in last sentence of second paragraph.**
79. **02-07-12 Amendment – p. 97, amended third paragraph changing to "must be reported" instead of "shall be reported."**
80. **02-07-12 Amendment – p. 101, added "until after a 90-day period" after "re-employment" in second sentence.**
81. **02-07-12 Amendment – p. 105, added "considerable" in front of "due deference" in 9. Scope of Review and Relief.**
82. **03-05-14 Amendment – p. 5, amended Section 2 to add elected Nay Ah Shing School Board, DNR enforcement staff when working with tribal police, and clarified that tribal police administrative staff are not exempt.**
83. **03-05-14 Amendment – p. 23, clarified that office phones are not to be used for personal long distance calls; and added that DNR CO's are exempt when using a cell phone for work related calls.**
84. **03-05-14 Amendment – p. 46, allowed time with child for cultural events; added if multiple children participate in same event, no more than 3 hours are allowed.**
85. **03-05-14 Amendment – p. 48, allowed increase of carryover of sick hours to 240 hours instead of 160 sick hours.**
86. **03-05-14 Amendment – p. 61, deleted use of community service hours as permissible leave for Anishinaabe Leave.**
87. **03-05-14 Amendment – p. 62, deleted use of community service hours for Anishinaabe Leave.**
88. **03-05-14 Amendment – p. 80, added acknowledgement of time worked as CC, GCML or GCH employee when transferring to Band government effective April 1, 2014.**
89. **03-05-14 Amendment – p. 88, added requirement for re-test on Lab's finding of diluted urine test.**
90. **03-05-14 Amendment – p. 94, clarified that Employee Relations Coordinator offers referral to professional counseling services.**
91. **03-05-14 Amendment – p. 103, Appendix A, clarified that an employee has 10 business days "of the date of mailing or personal delivery of" the Grievance Committee's Decision to file a Notice of Appeal**
92. **07-01-15 Amendment – p. 37, added "tobacco products or an electronic equivalent" and deleting "including outside the rear entrance of the government center mailroom, at".**
93. **07-01-15 Amendment – p. 45, deleted "and regular part-time"**
94. **07-01-15 Amendment – p. 49, changed 240 hours to 160 hours.**
95. **07-01-15 Amendment – p. 50, allowed other employees to donate sick leave hours, outlining stipulations on the part of donating employees and employees receiving donated hours.**
96. **07-01-15 Amendment – p. 79, added under (d) "(4) Subsequent failure to satisfy an essential job requirement as explicitly stated on an APB approved job description."**
97. **07-01-15 Amendment – p. 82, replaced "will provide" with "provides."**
98. **07-01-15 Amendment – p. 86, under E., second paragraph, added sentence, "Applicants cannot apply for posted positions for 30 days after a confirmed failed pre-employment drug and alcohol test."**

99. 07-01-15 Amendment – p. 94, aligned the correct information with the threshold detection levels.

100. 07-01-15 Amendment – p. 101, deleted last paragraph pertaining to severance.

101. 05-14-19 Amendment – p. 05, added "in compliance with 6 MLBSA § 1.

102. 05-14-19 Amendment – p. 07, deleted sentence "Solicitor General exercises day to day supervision over the Department of Justice."

103. 05-1419 Amendment – p. 08, clarified the Adoption and Amendment of the MLBO Personnel Policy and Procedures is codified in Band Statute and such amendments are approved upon enactment by Band Assembly prior to implementation and may specify an effective date of any or all amendments.

104. 05-14-19 Amendment – p. 14, clarified that Temporary, On-Call and Labor Pool employees are subject to the Mille Lacs Band Alcohol & Drug testing policy and background check requirements.

105. 05-14-19 Amendment – p. 21, clarified that mileage costs for use of personal vehicles is subject to pre-approval by Department Commissioner and added that if employees are carpooling to the same training, only one employee may submit for mileage cost reimbursement.

106. 05-14-19 Amendment – p. 24, added sentence "employees should have no expectation of privacy."

107. 05-14-19 Amendment – p. 27-28 added sentence "smoking is not permitted in Band owned vehicles." And that "employees must receive prior approval from Department Supervisor to use their personal vehicle for Band Business. Any damages occurring as a result of an accident are the responsibility of the employee and must be submitted to the owner's auto insurance." Deleted "or near misses" and added "or leaving the scene of an accident."

108. 05-14-19 Amendment – p. 36, added "smoking is not permitted in any Band owned vehicle" for consistency.

109. 05-14-19 Amendment – p. 37, added beside 401(k) information, "(21 years of age or older including Part-Time Regular employees)" and deleted Educational Financial Assistance as that was discontinued by Band Assembly resolution 1-7-16.

110. 05-14-19 Amendment – p. 39-42, replaced "Coordinator" with "Administrator"

111. 05-14-19 Amendment – p. 43, clarified that Part-Time regular employees may participate in the 401(k) plan and the age and service requirements that would need to be met.

112. 05-14-19 Amendment – p. 44, changed "benefit year" to "Fiscal year."

113. 05-14-19 Amendment – p. 46, deleted " child care assistance" and replaced with Benefit, added" through the completion of High School", added" scheduled at the same time" and "requests for leave should be submitted at least seven (7) days in advance" and included Legal Guardians/Foster Parents and the following sentence "Requests for leave should be submitted to the supervisor and will be evaluated and approved/denied based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence."

114. 05-14-19 Amendment – p. 47, removed "paid" and replaced with "pre-approved" to clarify Holiday pay will be paid for pre-approved absences including Funeral leave, pre-approved Sick or leave without pay the day before after the holiday and included a sentence how time worked during Holidays should be submitted on department spreadsheets.

115. 05-14-19 Amendment – p. 49, changed "not receiving any other type of pay" to "and must not be receiving payments from outside sources such as Short Term Disability, Workmen's Compensation or SSI Disability." And "The balance of the employee receiving donated hours shall not exceed forty (40) hours per pay period."

116. 05-14-19 Amendment – p. 50, changed "a reasonable" to "no more than two hours"

117. **05-14-19 Amendment – p. 51, - for consistency with the Sick Leave policy added "up to three (3) days without a doctor's note."**
118. **05-14-19 Amendment – p. 58, deleted the sentence "that directly relates to their job duties with the Mille Lacs Band." And included "A course syllabus/class schedule should be submitted to the employee Supervisor prior to the start of each semester."**
119. **05-14-19 Amendment – p. 61-62, - changed to regular hours instead of requiring the use of annual or sick leave, included any Tribal member to be able to utilize the leave for ceremonial purposes. Added definitions and included approval process.**
120. **05-14-19 Amendment – p. 63, clarified the use of hours is per calendar year, added "requests for leave should be submitted to the supervisor and will be evaluated and approved/denied based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence" and deleted " Also, in these particular circumstances, the Band will reimburse employees for any reasonable expenses that are approved in advance."**
121. **05-14-19 Amendment – p. 68, deleted "will not be paid for overtime worked without prior approval" and replaced with "may be subject to disciplinary action up to and including termination." Removed reference to Federal wage and hour restrictions and added a sentence regarding how the Band handles hours worked for separate positions employees may have.**
122. **05-14-19 Amendment – p.69, added "or conduct" and "including Summary Dismissal" for violations of this policy.**
123. **05-14-19 Amendment – p.70, deleted "on an annual basis calculated from the employee hire date" and changed to "following the performance evaluation schedule below." And included the performance evaluation schedule and when an employee's evaluation schedule will change.**
124. **05-14-19 Amendment – p. 71-72, deleted the different levels, leaving just the specific name of the step in the disciplinary process.**
125. **05-14-19 Amendment – p.77, added (F) Behavior as Defined in Harassment & Discrimination policy.**
126. **05-14-19 Amendment – p. 79, clarified that work hours do not include unpaid meal breaks.**
127. **05-14-19 Amendment – p. 81-82, added the Band reserves the right not to reschedule interviews for applicants unable to make the original scheduled day and time, included part-time regular employment with the casinos and time worked will count toward a subsequent probationary period with the new employment position.**
128. **05-14-19 Amendment –Deleted Tuition Reimbursement & Assistance policy. This policy was discontinued by Band Assembly Resolution 1/7/16.**
129. **05-14-19 Amendment – p.84-86, replaced reference to "Employment Coordinator" to HR Labor-Employee Relations Specialist.**
130. **05-14-19 Amendment – p. 87, deleted "at the discretion of the Human Resources Director" and added a sentence that states "If an employee does not start immediately or has a lapse in service longer than thirty (30) days they will need to be retested.**
131. **05-14-19 Amendment – p. 90, replaced reference to "Employment Coordinator" to "Employee-Labor Relations Specialist."**
132. **05-14-19 Amendment – p. 91, clarified the waiting period is three (3) hours for producing a sample.**
133. **05-14-19 Amendment – p. 95, replaced reference to "Employment Coordinator" to HR Labor-Employee Relations Specialist.**

134. **05-14-19 Amendment – p. 99, changed to "Emergency or Administrative closing" added Emergency/Weather closings and Administrative closings, defined when an employee will be required to utilize annual or sick leave when a closing is called.**
135. **05-14-19 Amendment – p.101, added "the Band reserves the right to accept the immediate resignation of employees at anytime after the employee has given such notice.**
136. **05-14-19 Amendment – p. 107, added sample of Time With Child Card that was missing.**
137. **01-12-22 Amendment – p. 47, amended rate of holiday pay for non-exempt employees.**
138. **9/6/23 Amendment – p. 7 – removed Band Member Legal Department as it is an independent entity.**
139. **9/6/23 Amendment -p.14 – removed "Labor Pool" as it no longer exists.**
140. **9/6/23 Amendment – p. 48-49, added sentence to include approval of usage for employees under public health quarantine due to exposure. Removed sentence regarding first having to utilize all accrued hours and included language to allow for donation with approval in the same week to add up to 40 hours.**
141. **9/6/23 Addition -p.71 – Added Administrative Investigations policy.**
142. **9/6/23 Amendment – p. 75-77, Addition of sentence stating the employee shall give up the right to a hearing if he/she fails to submit a written outline.**
143. **9/6/23 Amendment – p. 80, Addition of ability to dismiss an employee that has pending criminal charges that are not resolved within (30) days if it reduces their ability to perform his/her job. Removed Conduct unbecoming an employee of the Band and "civil" conviction from language that reduces employees eligibility to perform his/her job.**
144. **9/6/23 Amendment – p. 81, addition of "Reasonable belief the employee has committed material violation of Professional Practice Standards" under Termination for Just Cause. Removal of conduct unbecoming an employee of the Band and Any civil or criminal conviction that reduces the employee's eligibility to perform his/her job. Updated language added to Summary Dismissal.**
145. **9/6/23 Amendment – p. 83 updating the language to state Human Resources shall post all job openings. Addition of language to clarify the probationary period of a transferring employee and include language that the job offer once made can't be rescinded. Removed language of vacant positions being posted at the discretion of the Commissioner, Secretary-Treasurer.**
146. **9/6/23 Amendment – p. 86-99- updated language from may to shall be required to submit to drug and alcohol testing. Language updated throughout regarding continued testing for "Safety Sensitive" positions for Cannabis with the new State Law in effective August 1, 2023.**
147. **9/6/23 Amendment – p. 106, added language to update process of accepting an immediate resignation to include a properly scheduled exit interview.**
148. **2/24/24 Amendment -p. 56-58, creation of a (paid) Parental Leave policy.**

MILLE LACS BAND OF OJIBWE
REVOLVING LOAN FUND POLICY

A. General Information

1. **General.** Under Title 17, Chapter 1, the Mille Lacs Band of Ojibwe ("MLBO" or "Band") offers a Revolving Loan Fund program. This program is intended to serve enrolled Band members employed full-time or part-time who are able to make payments through direct debit from their payroll. The Office of Management and Budget ("OMB") is responsible for matters involving interpretation of the loan guidelines established within this policy. OMB shall follow Title 17, Chapter 1 and this policy when approving and distributing loans under this program.

2. **Loan Specialist.** A Loan Specialist within OMB shall be assigned to assist OMB in their duties as described in 17 MLBS § 3. Duties of the Loan Specialist may be executed by other members of OMB staff as deemed necessary by the Commissioner of Finance.

    a. **Duties.** The Loan Specialist shall have the following duties:

        i. to administer day-to-day functions for the revolving loan fund;

        ii. to approve or deny loan requests pursuant to the guidelines in Title 17 and this policy;

        iii. to maintain confidential loan documentation to include but not be limited to, the loan applications along with all relevant information, amortization schedule on loan repayment, the promissory note, payroll deduction form, and any delinquency follow-up notices, which shall be kept in OMB for a minimum of 4 years; and

        iv. to recommend changes to OMB regarding this policy.

3. **Conflict of Interest.**

    a. **Loan Specialist**. The Loan Specialist shall not participate in processing a loan application when there is a conflict of interest. Where there is a conflict of interest, the Commissioner of Finance shall process the loan application.

    b. **Definition of Conflict of Interest.** Conflict of interest exists when a spouse or an immediate family member's application is being considered. Immediate family member shall include a biological or adopted child, members of the same household, mother, father, sister, or brother.

B. Loan Application Process

1. **Application.** For enrolled Band members employed full-time or part-time requesting a loan, the following procedures must be followed:

    a. All applicants must complete a standard loan application which may be obtained from the MLBO's OMB webpage, the office of OMB, the Government Center receptionist, District II or III administrative assistants, or the Urban Office. Loan policies shall be posted on the MLBO's OMB webpage.

    b. All applicants agree to comply with the loan policies and applicable Band Statutes.

    c. All loans shall have an annual percentage rate ("APR") of 5%.

    d. All applicants must be at least 18 years of age.

    e. All applicants must be enrolled Mille Lacs Band Members and employed full-time or part-time.

    f. Upon OMB approving a loan application, if delinquent debt exists with the MLBO government including debt to the Housing Department, tribal court, motor vehicles, or any political subdivision, the loan applicant shall enter into an agreement with MLBO to setup a repayment plan for delinquent debt prior to OMB issuing the loan. Twenty-five percent (25%) of loan proceeds will first be applied to delinquent MLBO debt with the remaining loan proceeds to be paid to the loan applicant.

    g. Loan applicants shall receive a copy of this policy upon request for a loan application.

    h. If funds become limited, OMB shall approve qualified loan applications from first-time borrowers before approving those of repeat borrowers.

2. **Loan application timeline.**

    a. **Application.** The Loan Specialist shall review loan applications on a rolling basis in the order they are received.

        i. Loan application decisions will be made by OMB within 7 business days after the Loan Specialist has received all required loan application documentation. Failure of the applicant to submit all required documentation may result in denial of the application.

    b. **Denial.** OMB shall deny any loan application that does not meet the requirements set forth in this policy. The Loan Specialist shall mail and electronically deliver the denial to the loan applicant within 10 business days of denial. All denial

notices shall inform the loan applicant of the option to appeal by including the policy's appeal language set forth below in section B(2)(c).

c. **Appeal.** If a loan application is denied, the loan applicant may appeal to the Commissioner of Finance by submitting a written explanation why the loan denial was in error and any supporting documentary evidence.

    i. Appeals shall be filed with OMB within 30 calendar days after OMB notifies the applicant their loan application is denied.t. The Commissioner of Finance shall issue a final decision no more than 15 calendar days after the appeal reaches OMB. All final decisions shall be made in writing and served by the Loan Specialist to the loan applicant within 5 business days of the final decision being made.

All decisions on appeals are final and unappealable to any court or tribunal.

C. Lending Guidelines

1. Payroll Deduction Secured Loans

a. **Eligibility for Payroll Deduction.** The loan applicant's employer must be willing to make payroll deductions and send loan payments directly to OMB. If an applicant's employer is unable or unwilling to make payroll deduction payments, the loan application will be denied. All Per Capita, General Welfare Exclusion Assistance, Bonus, and any other cash payments issued by OMB on behalf of the Band, must be garnished if a loan becomes delinquent. The following are requirements based on employment status.

    i. **Full-time, permanent employment.** A full-time, permanent status loan applicant who has been employed for at least ninety (90) calendar days is eligible for a loan.

    ii. **Part-time employment.** A part-time loan applicant who has been employed for at least six (6) months is eligible for a loan.

    Full-time employees who transfer from one MLBO job to another are not required to wait an additional ninety (90) calendar days before being eligible to receive a loan. Part-time employees who transfer from one MLBO job to another are not required to wait an additional (6) months before being eligible to receive a loan.

b. **Lending Guidelines.** The following are loan amount guidelines.

Lending Guidelines	Loan Amount	Repayment Term
Maximum first loan	$ 1,000.00	Six months

Maximum second loan*	$ 1,500.00	Twelve months
Maximum third loan*	$ 3,000.00	Eighteen months
Maximum loan amount* *	$ 4,000.00	Twenty-four months

* In order to qualify for the next level of loan amount, good payment history must have been demonstrated for the stated repayment term sought

* * Only Band members employed full time are eligible for this amount; the maximum loan amount for part-time workers is $3,000.

i. Borrowers become eligible for subsequent loans once they pay their current loans down to one-quarter of the original loan balance.

ii. OMB is not obligated to grant a loan for the maximum amount unless they deem the loan to be sound and appropriate.

iii. OMB shall consider previous loan history with the Band when determining whether to grant a loan.

iv. A loan applicant shall not be limited to the amount of loans they receive throughout their lifetime from MLBO.

2. **Promissory Note and Notice Requirements**

   a. **Promissory note.** For all loans granted, a formal promissory note must be signed by the loan recipient. A payroll deduction form shall also be signed by the loan recipient.

   b. **Notices.**

      i. Notice of the delinquent loan follow-up and garnishment procedure shall be given to the loan recipient at the time of the loan disbursement.

      ii. Applicants must receive a copy of this policy prior to the disbursement of their loan and acknowledgement receipt via their signature.

3. **Delinquent Loan Follow-up.** All loan balances will be maintained on a timely basis by the Loan Specialist. If loan payments are not received, the Loan Specialist, with approval by the Commissioner of Finance will initiate the following collection procedures:

   a. Follow-up with payroll specialist to check on payroll deduction status if the first payment due is not received within 15 calendar days of expected payment date.

   b. Contact the loan recipient when payment is 30 calendar days overdue.

   c. When a payment is 60 calendar days overdue, send a written notice indicating that the borrower must come into OMB and make payments to bring the loan balance

current. If the borrower fails to bring their loan to current status, her or his future Per Capita, Bonus, General Welfare Exclusion, and any cash payments issued by OMB on behalf of the Band, will be garnished until their loan is repaid in full.

d. When a payment is 90 calendar days overdue, a motion seeking judgment may be filed in the Court of Central Jurisdiction. OMB may also seek to garnish any bonus due to the borrower. Debts owed to MLBO shall have priority for repayment with garnishments. If more than one MLBO debt is owed, garnishment will be prorated to the outstanding debts based on the ratio of total outstanding balances.

e. The Loan Specialist may arrange revised repayment plans for borrowers if it is deemed to be in the best interest of the Band.

f. In the unfortunate event that an individual with an outstanding loan balance passes away, the remaining balance of the loan will be written off and not collected.

g. In the event that an individual with a loan balance becomes totally disabled, their loan payments shall be put on hold until such time that they are able to return to work. Loan payments shall resume upon their return to work and there shall be no change in the amount of loan this individual will be eligible to receive in the future.

h. Interest on delinquent loans will continue to accrue at the rate stated in the promissory note.

i. If the borrower becomes unemployed, they shall contact the loan specialist to establish a new repayment plan.

4. **Rebuilding Process.** Once a loan recipient's money is garnished for loan repayment, credit must be rebuilt from the beginning.

RATIFICATION

This policy was presented to the Band Assembly pursuant to 17 MLBS, Chapter 1 § 7 and ratified by Act 43-24 on August 1, 2024.

By:

Sheldon Boyd
Speaker of the Assembly